



House of Commons
Education Committee

Fostering

First Report of Session 2017–19



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to the report*

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The Education Committee

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Contents

Summary	3
Conclusions and recommendations	4
1 Introduction	7
2 Valuing young people	11
Supporting placements	11
Matching and stability	11
Information sharing	12
Siblings	14
Early years and schools	14
Supporting engagement	16
Involvement in decision making	16
Advocacy	16
Social workers	17
Supporting transitions to adulthood	17
Staying Put	18
Consistency of application of guidelines	19
3 Valuing foster carers	21
Working conditions	21
Financial support	21
Employment status	23
Respect and recognition	23
Professionalisation	24
Training	26
Allegations	27
Other support	28
A new national body	28
4 Valuing care	31
Capacity	32
Issues that affect capacity	32
Need to increase capacity	33
Recruitment	34
Advertising	34
Minority communities	35

A national recruitment campaign	35
Relations between foster care providers	36
Allegations of profiteering and 'golden handshakes'	37
Commissioning	38
New ways of working	40
Funding and resource pressures	40
Innovation	41
Different structural models	42
5 Conclusion	47
Formal minutes	48
Witnesses	49
Published written evidence	51
List of Reports from the Committee during the current Parliament	54

Summary

Foster care is an invaluable part of the care system, providing thousands of children and young people with safe, loving and stable homes and family environments. Yet the foster care system in England is currently under pressure: the number of children living in care is increasing, as is the number living in foster care; foster carers have raised serious concerns over their working conditions, and the adequacy of the support they receive; and the roles and relationships of different providers of foster care have been called into question.

At the beginning of the 2017 Parliament, we decided to continue our predecessor Committee's inquiry into fostering, which could not be completed before the General Election. In our report, we emphasise the importance of valuing the young people in foster care, foster carers, and the foster care system itself. We also feel that it is important that foster care is considered in the context of the wider children's care landscape. We believe that the Government should conduct a fundamental review of the whole care system to address wider issues and ensuring that the care system is fulfilling its purpose.

Valuing young people

For too many children and young people, their experience of care is that of something which is done to them, not with them. While legislation and Government guidelines encourage placement stability and involvement of young people in decision-making about their care, and outline a young person's entitlement to sibling contact and advocacy services, application of these guidelines is currently lacking. There must be consistency of practice, so that all young people are able to benefit from an appropriate and positive experience of foster care.

Valuing foster carers

Foster carers do not always receive the respect and recognition they deserve. They perform a remarkable and invaluable service for thousands of young people. The Government must do more to support and value foster carers. We call upon the Government to consult on the establishment of a national college for foster carers, which would work to give carers the support they need, and the recognition they deserve.

Valuing care

The Government needs to do more to value foster care. This means more resources and support. The Department for Education should initiate a national recruitment and awareness campaign to improve capacity in the system. It must also support local authorities and foster care providers in piloting new ways of working, especially through more early intervention and prevention.

Conclusions and recommendations

Introduction

1. *The Government must ensure that its review of the foster care system is considered in the context of the wider children's social care landscape. The value of the work the Government has undertaken so far on different forms of care will be undermined if they are not viewed and considered as part of a whole, interlinked system. The Government should conduct a fundamental review of the whole care system, recognising the relationships between different types of care, addressing wider underpinning issues, and ensuring that the care system is fulfilling its purpose. (Paragraph 9)*

Valuing young people

2. We welcome the Government's recent commitment to extend the entitlement to the additional 15 hours of free childcare to children in foster care, so that all young people are able to benefit from the same opportunities. We urge the Government to look carefully at how children in foster care getting this extra childcare will access the highest quality childcare. (Paragraph 29)
3. *Staying Put will not be the right option for every young person leaving care. But at the moment, too many are missing out on the opportunity to take advantage of this welcome programme. Funding and promotion of Staying Put must be improved so that all young people who wish to remain with their carers are enabled to do so. Other young people, who may wish to live independently but maintain contact with their former carers, must similarly be empowered to do so. (Paragraph 46)*
4. *We hope that the Government's review focuses on this issue, and recommend that the Government takes action to ensure consistency of practice and application of guidance with regards to:*
 - *Preventing placement breakdown, by encouraging foster care providers to resolve issues earlier and offer support to build a family environment;*
 - *Giving accurate and relevant information to foster carers and young people prior to the commencement of a placement, and sufficient notice in advance of a placement change;)*
 - *Placing young people with their siblings whenever it is possible and appropriate to do so, and facilitating regular and meaningful contact when it is not;*
 - *Ensuring that policies for listening to and engaging with children and young people are being followed in meaningful ways;*
 - *Keeping young people informed about decisions and developments regarding their care;*
 - *Providing young people with advocacy services, and explaining their role and availability. (Paragraph 48)*

Valuing foster carers

5. *The Government must:*
 - *Ensure that all foster carers are paid at least the national minimum allowance;*
 - *Consult on national minimum allowance levels, to investigate the level of funding needed to match rises in living costs and allow carers to meet the needs of those they are caring for;*
 - *Review and update current taxation rules for foster carers. (Paragraph 57)*
6. *We consider it unsatisfactory that foster carers are subject to the responsibilities of self-employed status without the benefits. In light of the recommendations of the Work and Pensions and Business, Energy and Industrial Strategy Committees, the Government must state whether self-employment is the appropriate employment status for foster carers. (Paragraph 60)*
7. *We do not believe that foster carers should be officially classified as ‘professionals’. However, it must be universally recognised and understood that they are the experts with regards to the life and care of their child, and they must be afforded the same respect and professional courtesies as would be extended to a birth parent or any other care professional involved in the care of looked-after children. (Paragraph 71)*
8. *We appreciate that initial training cannot be comprehensive, and that many things can only be learned on the job. However, there is a great need for more ongoing training and development for foster carers. We recommend that the Government works with experts and organisations in the sector to develop high-quality training resources for foster carers, and make them available nationwide. (Paragraph 75)*
9. *The Government should bring forward legislative proposals to extend the scope of the Public Interest Disclosure Act to cover foster carers, so that they are protected during proceedings or when raising concerns of their own, and safeguarded from the consequences of malicious or unfounded accusations. (Paragraph 79)*
10. *We recommend that the Government develops and consults widely, including with foster carers, on proposals for a national college for foster carers. For a college to be truly national and accessible, it should be a virtual association, which works to represent foster carers, share knowledge and resources, and bring greater prestige to the role of foster carers. (Paragraph 88)*

Valuing care

11. *Capacity in the foster care system must be increased. There must be a range of placements options for young people requiring foster care so that they can be assured of the best and most appropriate home. (Paragraph 101)*
12. *The Government’s approach to dealing with capacity issues must not only focus on increasing capacity but also look to support children and families before they reach crisis point and need to enter the care system. The Government must be proactive, and*

focus more energy and resources on early intervention. More support must be given to children and families when they first need help so that, where possible and appropriate to do so, they are enabled to stay together. (Paragraph 102)

13. *The Government should establish a national recruitment and awareness campaign for foster carers. This should:*
 - *focus on areas of the country where more carers are particularly needed;*
 - *seek to increase the number of carers from ethnic, religious and cultural backgrounds which are currently lacking in representation; and*
 - *target those with specific skills—such as in working with young people with disabilities or special educational needs—in which there is currently a need for greater support. (Paragraph 110)*
14. *The quality of foster care provision must always be paramount. We are concerned by the extent to which commissioning and placement decisions are made on the basis of cost. The Government must provide local authorities with the resources they need to ensure financial concerns do not take precedence over the needs of the child. The Government should also require standardised cost analyses of local authority and IFA placements. (Paragraph 124)*
15. *Given the well-evidenced improvements made in areas with access to the Innovation Programme, we recommend that the Government extend the time period and at least double the funding given to the Programme, so that more children and young people are able to benefit from early intervention and improved services. (Paragraph 131)*
16. *Local authorities' children's services need to improve. While funding and resourcing will always be an issue, particularly with an increasing number of children in care, we welcome attempts to innovate and find new, efficient and effective ways of working. However, it is vital that change is not imposed for change's sake, or before internal improvements can take effect. We recommend that the Government place a greater emphasis on providing support and guidance when considering intervention. (Paragraph 146)*

1 Introduction

Context

1. When a child is unable to live safely with their birth parents, the state, acting through local authorities, steps in to provide an alternative home environment. A child is referred to as ‘looked-after’ if they receive accommodation from a local authority for more than 24 hours, are subject to a placement order (which puts the child up for adoption), or are subject to a care order (which puts the child in the care of a local authority). Local authority care can include residential care, such as children’s homes, or foster care, where the young person lives in a family environment with foster carers. Unlike adoption, foster care is not always intended to be permanent, with the ultimate goal being to reunite many of these young people with their birth parents. Fostering placements can be provided directly by local authorities, or contracted out to independent fostering agencies (IFAs).

2. The number of looked-after children in England has increased steadily since 2008. As of 31 March 2017, there were 72,670 looked-after children in England. This is an increase of 3% on 2016, and of almost 7% on 2013. Three-quarters of young people in care—53,420—live in foster care.¹ In November 2017 a group of leading representatives from the children’s social care sector launched a review into the rising numbers of children in care, in order to investigate the reasons for recent rises and identify changes to local and national policies and practice that could safely stem the increases in a way which achieves the best outcomes for children and families.² One of the stakeholders participating in the review, President of the Association of Directors of Children’s Services, Alison Michalska, said that “a review which considers changes that could be made nationally and locally to reduce the number of children coming into care safely is long overdue”.³

3. The Government has conducted a number of major pieces of work in different areas of the care system in recent years. The Government introduced new statutory guidance on adoption in 2013,⁴ announced proposals to reform social work in January 2016,⁵ and in July 2016 published an independent review of children’s residential care. In that final review Sir Martin Narey echoed the opinion of many in the sector in stating that “Fostering is overdue a fundamental review and this should be a priority for the Department for Education”.⁶

4. Accordingly, in July 2016 the Government announced that it would be conducting a “national fostering stocktake”, with an aim of achieving “a deeper understanding of the current picture of fostering provision and how it can be improved”.⁷ In evidence submitted

1 Department for Education, *Children looked after in England (including adoption), year ending 31 March 2017*, 28 September 2017, pp 8–9

2 Family Rights Group, ‘*Care Crisis Review*’, accessed 14 December 2017

3 Children and Young People Now, ‘*Major review to investigate rising numbers of children in care*’, 14 November 2017

4 Department for Education, *Statutory Guidance on Adoption*, July 2013

5 Department for Education, *Putting children first: Delivering our vision for excellent children’s social care*, July 2016

6 HM Government, *Residential Care in England*, July 2016, p 33

7 Department for Education, *Putting children first: Delivering our vision for excellent children’s social care*, July 2016, p 62; Department for Education, *Government response to Sir Martin Narey’s Independent Review of Residential Care*, December 2016, p 10

to this inquiry the Department for Education added that one of the reasons for the review was that “we recognise there is a lot we don’t know about the current provision”.⁸ Sir Martin Narey and Mark Owers were appointed to lead the Government’s review.

5. At the final evidence session of this inquiry, the Minister for Children and Families, Robert Goodwill MP, said that the review will be published in the new year.⁹ We look forward to the results of the Government review, and hope that, along with this report, it results in important improvements being made to foster care in England.

6. However, we raised concerns over the titling of the Government’s work. Following the response from stakeholders, the Committee strongly agreed that the impersonal and clinical nature of the term ‘stocktake’ was not appropriate given the importance and sensitive nature of the work. The Minister told us that: “To be honest, I don’t really care what we call it, as long as it does what we want it to do”.¹⁰ For the purposes of this report we use the word ‘review’, instead of ‘stocktake’.

7. We also heard concerns over the review’s engagement with young people. One young person with experience of foster care suggested that:

We need to involve young people more in these things, to get their opinions and voices heard. We need to provide a more diverse platform for that, not just a questionnaire to a couple of people on social media.¹¹

Katy Willison, Director of Children’s Social Care, Practice and Workforce at the Department for Education, responded that this was a “fair challenge”, adding that Sir Martin had heard from a lot of children through social media, while the Minister stated that he hoped young people would give feedback on social media after publication. He believed that the problems in hearing from young people stem from “a general problem in society that young people do not necessarily get engaged”.¹²

8. We welcome the Government’s fostering review, as we have welcomed the recent work on adoption, residential care and social work reform, for bringing attention to an area of the care system which has often been overlooked. However, we are unsure whether separating and analysing different forms of care in this way is the best means to highlight issues and drive improvement. Individual piecemeal reviews such as the Government has undertaken in recent years overlook the fact that the care system is an interlinked and interdependent whole, and therefore make it difficult for effective changes to be made. Children move between different forms of care; the same staff and services are engaged in provision across care distinctions; and many of the same underpinning issues affect fostering as they do adoption as they do residential care. Addressing the fundamental issues currently facing the children’s care system will require a more thorough and holistic approach. We note that the Scottish Government has recently announced a root and branch review of the care system in Scotland, which will look at the underpinning legislation, practices, culture and ethos.¹³

8 Department for Education ([FOS0086](#)), para 6

9 Q104

10 Q112

11 Q150

12 Qq111, 153; We noted that two days after this evidence session Sir Martin Narey invited responses from young people on Twitter.

13 Scottish National Party, [‘Nicola Sturgeon’s address to #SNP16’](#), published 15 October 2016; Scottish Government, [‘Launch of independent Care Review’](#), published 30 May 2017

9. *The Government must ensure that its review of the foster care system is considered in the context of the wider children’s social care landscape. The value of the work the Government has undertaken so far on different forms of care will be undermined if they are not viewed and considered as part of a whole, interlinked system. The Government should conduct a fundamental review of the whole care system, recognising the relationships between different types of care, addressing wider underpinning issues, and ensuring that the care system is fulfilling its purpose.*

Our inquiry

10. Our predecessor Committee launched an inquiry into fostering in October 2016, with the following terms of reference:

- The recruitment and retention of foster carers, and the capacity of the fostering system;
- Stability of foster care placements, including the impact of the Staying Put initiative since its introduction;
- The role of voluntary and independent foster care providers, and their relationships and cooperation with local authorities;
- The foster care market, including the costs of commissioning of services, financial incentives in the recruitment of foster carers;
- The sufficiency of current recognition, support and recompense given to foster carers;
- Foster care for young people with specific or challenging needs, and its relationship with residential care;
- The involvement of young people in their care, including their role in decision making; and,
- What the Government should consider in its stock take of foster care.¹⁴

11. Over 100 pieces of written evidence were received in response. Three oral evidence sessions were held in early 2017, before the inquiry was interrupted by the general election. We chose to resume the inquiry in September 2017, holding two further evidence sessions in the autumn.¹⁵ We thank our predecessor Committee and its former Chair, Neil Carmichael, for their valuable work.

12. Witnesses to this inquiry included representatives of major fostering and children’s charities and organisations, local authorities and independent foster care providers, Ofsted, academics and researchers, the leaders of major organisations within children’s services, and the Minister for Children and Families, Robert Goodwill MP. We also benefited greatly from hearing directly from current foster carers and young people with experience of foster care. We thank all of our witnesses for their time and their contributions. We also record our thanks to Action for Children and The Adolescent and Children’s Trust,

14 Education Committee, [‘Fostering in England inquiry launched’](#), 7 October 2016

15 As a result, references in this report to oral evidence taken as part of this inquiry before the previous Committee are footnoted with reference to the previous Parliament: e.g. Q1, HC (2016–17) 681.

who held a seminar with our predecessors in Westminster with foster carers and young people to contribute towards our inquiry, and to Professor David Berridge, Professor of Child and Family Welfare at the University of Bristol, who acted as a specialist adviser on children's services issues to our predecessor Committee.

2 Valuing young people

13. The needs, wellbeing and life chances of young people must be the primary concern of all people and organisations involved in the children’s care system. While we appreciate that there are challenges—such as funding and resource pressures, legislative requirements, and political concerns—which can introduce other competing priorities, they must never be allowed to distract from the ultimate goal of providing safe homes, loving families and happy lives for these children. As part of this inquiry our predecessor Committee held a seminar with a group of young people,¹⁶ and in November 2017 we held an evidence session where we heard directly from three young people with personal experience of care.

Supporting placements

Matching and stability

14. One of the main issues that came through in evidence submitted to this inquiry was the importance of appropriate matching and placement stability. We received written evidence that suggested stability of care enables children to recover from traumatic experiences and facilitates continuity and stability in other areas of life, such as education and the ability to develop friendships and other relationships.¹⁷ There are many negative results of a placement breaking down: placement instability can harm a child’s chances of developing secure and longstanding attachments and affect their emotional wellbeing and mental health, and can cause delayed access to support services and difficulties in maintaining contact with family and friends.¹⁸ Poor matching and placement breakdowns are regularly cited as factors in foster carers’ decisions to give up fostering.¹⁹ The Nationwide Association of Fostering Providers (NAFP) claimed that “the importance of providing a child centred, needs-based service for placement stability and for carer retention cannot be over-emphasised”.²⁰

15. However, concerns were raised over current matching processes and levels of stability. We were told of occasions where matching had been “minimal and of poor quality” leading to “poorly matched” placements, when financial concerns had dominated planning and decision making, and of failures in the planning process and adherence to permanence plans.²¹ We heard from many who raised concerns over foster carers being forced to accept placements from outside of their approval range.²² Ofsted wrote that “the overall quality of practice to promote stability remains too inconsistent [...] matching decisions are not consistently as thoughtful and carefully evidenced in foster care as it is for adoptive placements”.²³

16 A report of discussions held can be read in written evidence submitted by Action for Children and The Adolescent and Children’s Trust (FOS0115).

17 Action for Children (FOS0079), para 1.4; Become (FOS0089), para 4.1

18 Action for Children (FOS0079), para 1.4; Ofsted (FOS0054), para 9

19 Nationwide Association of Fostering Providers (FOS0101), para 3

20 Nationwide Association of Fostering Providers (FOS0101), para 2

21 Karen and Michael Fesemeyer (FOS0044), para 12; Jennifer Wilkins (FOS0021), para 4; Barnardo’s (FOS0104), para 3; British Association of Social Workers (FOS0043), para 30; Nationwide Association of Fostering Providers (FOS0101), para 17

22 Q55 [Kevin Williams], HC (2016–17) 681; Qq39–40 [Brian Roberts], HC (2016–17) 681; The Fostering Network (FOS0085), para 9; Q5 [Gemma Ronte], HC (2016–17) 681; Q169 [Dr Heather Ottaway], HC (2016–17) 681

23 Ofsted (FOS0054), para 10

16. The frequency of placement changes was highlighted by many of the young people who contributed to this inquiry. One young person said that they had been through eight placements in four years, another had “moved six times in less than no time”, while another lived in thirteen different foster placements and two children’s homes in five years.²⁴ Figures for the number of placement changes experienced by young people in foster care are hard to obtain. The Department for Education’s latest annual statistics show that 21% of all children in care experienced two placements in the previous year, with 10% experiencing 3 or more, roughly consistent with previous years.²⁵ Ofsted statistics show that 2,910 children experienced 3,490 ‘unplanned endings’ in the year 2015–16, whereas in the previous year there were 7,245 unplanned endings, affecting 8% of all placed children.²⁶ However, these figures are not directly comparable, as the later data was collected at child and incident level, whereas in previous years only the total numbers of incidents were recorded, and unplanned endings where a child changed agency as a result were not counted. The category of ‘unplanned endings’ by definition does not include those placement changes which are pre-arranged, and neither DfE nor Ofsted data illustrate the number of placement changes experienced by a child throughout their time in care.

17. Often, a placement breakdown or move necessitates a change of school. Over 2,000 children experienced at least one educational placement change as a result of a fostering placement change during 2015–16.²⁷ Research on the educational progress of looked-after children has found that educational placement changes are a significant risk factor for the educational outcomes for children in care, particularly if they occur later in schooling. Longer placements are generally associated with improved results. Instability also increases rate of absence from school, which is another detrimental factor in results.²⁸

18. We recognise that not all placement changes are unplanned: some placements are intended to be short-term, and some moves may be pre-planned as part of a child’s care plan. We also understand that there are often very valid and necessary reasons for a change of placement, such as the changing needs or circumstances of the child or carer. However, we were concerned to hear that

Frustratingly, they often break down for reasons that would not result in a family breakdown [...] Foster carers, and the children they care for, are not supported to remain as a family—they are too often split up by social workers who do not consider themselves to have the time to help a fostering placement become a family, and then to keep that family together.²⁹

Information sharing

19. One means of improving placement stability would be to improve the accuracy and sharing of information prior to the commencement of a placement. Ofsted told us that “sufficient information to children and carers at the point of placement is not always provided”, adding that one in three children told them that they did not receive useful

24 Action for Children and The Adolescent and Children’s Trust (FOS0115), p 1; Q80

25 Department for Education, *Children looked after in England (including adoption), year ending 31 March 2017*, 28 September 2017, p 9

26 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, pp 16–17

27 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, p 17

28 Judy Sebba et al, *The Educational Progress of Looked After Children in England: Linking Care and Educational Data*, November 2015, pp 5–6

29 Become (FOS0089), para 4.3

information before commencing a placement.³⁰ A survey of foster carers by The Fostering Network found that over 30% of respondents “rarely or never” receive full information about the child prior to placement.³¹

20. We heard similar evidence.³² Foster carers told us that “there are too many cases of critical information about a child’s history, behaviour and needs not being shared openly so that carers can make an informed decision about risk and whether to welcome a particular young person”,³³ and that placements “are seriously affected by the hugely disproportionate reliance on reports and records which are often inaccurate, out of date or which contain false information”.³⁴ One carer told us that, having recently seen information on one of the children for whom he was caring for the first time, he has learned information that would have been useful years ago, while another said that he was not told that two children he fostered had not been potty-trained.³⁵ Others suggested that there are too many people involved in the process, meaning that information can be distorted or missed.³⁶

21. Young people spoke of the fact that their records often highlight past actions or behaviours, rather than what they are like now, or the reasons for previous incidents:

My referral was terrible. Nobody would foster me; I was classed as unfosterable at 15 years old, for things written that I had done, and not who I was.³⁷

22. Some witnesses claimed that information is deliberately withheld to secure placements.³⁸ The Fostering Network and the Association of Directors of Children’s Services disputed this, but highlighted other difficulties in sharing full and up-to-date information, including time and resource pressures, and confidentiality and safeguarding concerns.³⁹ Both organisations also emphasised that other professionals, who may know the child better and have more contact time than social workers, should be involved in bringing together all the relevant information to help find the best placement and carer for a child.⁴⁰

23. The need to improve information sharing extends to letting children know when or whether they are going to be moved. We heard from young people who were given less than 24 hours’ notice before being moved to a different placement: one only had the opportunity to grab “a black bag of stuff”, another was moved just four days before Christmas.⁴¹ We appreciate that there are circumstances which necessitate a quick placement change. However, we heard first-hand testimony of the impact of a rapid move on a young person:

30 Ofsted ([FOS0054](#)), para 10

31 The Fostering Network ([FOS0085](#)), para 11

32 Qq41–3, HC (2016–17) 681; Q143

33 Wandsworth Foster Carers’ Association ([FOS0034](#)), para 9.1

34 Susan and Peter Adams ([FOS0070](#)), para 18

35 Q43 [Brian Roberts], HC (2016–17) 681; Qq41–2 [Michael Fesemeyer], HC (2016–17) 681

36 ABC Fostering ([FOS0048](#)), p 1

37 Q80

38 The Fostering Network ([FOS0085](#)), para 11; GMB Union ([FOS0056](#)), para 38; Francis Boyle ([FOS0003](#)), para 4; Qq42–3 [Michael Fesemeyer], HC (2016–17) 681

39 Qq22–3

40 Qq22–3

41 Action for Children and The Adolescent and Children’s Trust ([FOS0115](#)), pp 7–8; Qq73–4

They said it would be a couple of weeks until they could find me a suitable placement, but I was there for nearly a year with nothing to edge me on to think that I'm going to be here for a long time. It wasn't until I reached the end of the placement that I realised, "Oh, I've been here for quite a while and I'm suddenly moving out of nowhere" ... It was very, very stressful for me.⁴²

24. The young people we spoke to emphasised the value of getting to know their foster family prior to moving in, and we heard good and bad examples of practice. While one young person told us that "I didn't get much info about the carers I was going to live with, about what the house was like—is it comfortable, is it warm and stuff?", another said that they got to meet the foster carer and the other people in the home, visit the house, and go shopping with their new carer.⁴³ We also heard that some carers make booklets about themselves, to introduce and welcome young people into their homes. This sort of best practice should be standard.

Siblings

25. One issue that is close to the hearts of many young people is that of placement and contact with siblings. The Children and Young Persons Act 2008 states that when a young person in care has siblings also in care, local authorities should accommodate them together so long as it is reasonably practicable and consistent with welfare considerations.⁴⁴ Ofsted reported that in 2015–16, 13,610 brothers and sisters were assessed to be placed in foster care, with 10,895 assessed to be placed together. Of these, 9,415 (86%) were placed together.⁴⁵ These figures do not include children who were already in foster care, however, only new entries. A 2012 survey by Ofsted of nearly 2,000 looked-after children found that 71% of those in foster care who also had a sibling in care were not placed together.⁴⁶

26. Research has found that outcomes for children placed with siblings in foster care are mostly better than for those placed separately, with placement together generally associated with greater stability, improved educational outcomes, and more favourable mental health outcomes (although some with behavioural issues seem to benefit from being placed separately).⁴⁷ In his evidence to us the Minister reiterated that the Government feels that it is important that sibling groups stay together, and that social workers and other professionals involved should prioritise efforts to this end.⁴⁸

Early years and schools

27. Under the Childcare Act 2016, certain children aged three and four across England are entitled to an extra 15 hours of free childcare a week, on top of the universal provision of 15 hours of free childcare. However, children in foster care were initially excluded from this entitlement. During the course of our inquiry, a group of children's charities and organisations called on the Government to overturn the decision to exclude fostered

42 Qq74–5

43 Qq73–7; Action for Children and The Adolescent and Children's Trust ([FOS0115](#)), p 10

44 Children and Young Persons Act 2008, [Section 8](#)

45 Ofsted, [Fostering in England, 2015–16](#), data tables

46 Ofsted, [Children's care monitor 2011: Children on the state of social care in England](#), 24 February 2012, p 52

47 Sarah Meakings, Judy Sebba and Nikki Luke, [What is known about the placement and outcomes of siblings in foster care?](#), February 2017; Q164 [Professor Judy Sebba], HC (2016–17) 681

48 Q117

children from accessing the additional 15 hours of free childcare.⁴⁹ Statistics published by the Department for Education underline the potential impact of investment at this stage in a young person's life, with 56% of children on free school meals achieving a good level of development by age 5, compared to 73% of their better-off peers.⁵⁰ A child who has been in a high quality pre-school for 2–3 years before school starts almost eight months ahead of a child who has not been in pre-school.⁵¹

28. In response to questions in Parliament on this matter, the Secretary of State said that the Government were “actively looking at the issue”.⁵² In a debate in Westminster Hall on 19 December 2017, the Minister for Children and Families announced that the Government would extend the entitlement to 15 additional hours of free childcare to children in foster care.⁵³

29. We welcome the Government's recent commitment to extend the entitlement to the additional 15 hours of free childcare to children in foster care, so that all young people are able to benefit from the same opportunities. We urge the Government to look carefully at how children in foster care getting this extra childcare will access the highest quality childcare.

30. Young people living in foster care spend a large portion of their time at school, so it is vital to get the interaction between these two facets of their lives right. We heard of examples of good practice from around the country, with schools providing young people in care with mentors and initiatives like nurture groups to offer support.⁵⁴ However, we heard that, while well-intentioned, many of the behaviours of schools towards these groups of young people can become overbearing, deprive them of their independence, and isolate them from their peers. We heard from young people who were constantly chaperoned around school, or who were called out of lessons. This was seen as “very controlling”, and made the young people feel that the teachers “owned them”.⁵⁵ We were also told that while engagement and concern from teachers and school staff is appreciated, it can backfire:

I want to be like everyone else. Treat me like everyone else. Some teachers don't know how to manage the whole “You're in foster care” thing, and they give off a really bad vibe towards me and I feel, “Oh my gosh, I actually am in care”. It's not nice.⁵⁶

31. Some children in care need extra support; others prefer to be treated like their peers. Schools and school staff need to know what is desired by and appropriate for the individual and, so far as is practicable and responsible, adapt their procedures accordingly. This ties in with the need to improve the accuracy and sharing of information about the child, as discussed above.

49 The Guardian, [‘Foster carers must receive the extra free childcare allowance too’](#), 8 November 2017

50 Department for Education, [‘Early years foundation stage profile results: 2016 and 2017’](#)

51 Department for Education, [Effective pre-school, primary and secondary education project \(EPPSE 3–16+\): How pre-school influences children and young people's attainment and developmental outcomes over time](#), June 2015

52 HC Deb, 11 December 2017, [col 3](#)

53 HC Deb, 19 December 2017, [col 363WH](#)

54 Qq67, 70

55 Qq67–8; Action for Children and The Adolescent and Children's Trust ([FOS0115](#)), p 4

56 Q70

Supporting engagement

Involvement in decision making

32. A successful placement, and a successful experience of care, requires young people to be engaged in the process. We were told that listening to and giving appropriate consideration to the views and opinions of young people is “at the heart of good quality social work”,⁵⁷ and “can often be the lynchpin that will hold a placement steady and make a child feel that they have a home”.⁵⁸ However, evidence we received suggested that involvement was variable, and could be tokenistic.⁵⁹ The NAFP said that “the decision-taking process remains distant and aloof”, with children reporting things “being decided for them and being done to them”.⁶⁰

33. Most councils and fostering services have procedures in place to involve young people in the care process, and facilitate the hearing of their opinions, such as children in care boards. However, the number and quality of these vary. Ofsted stated that “Typically, however, too few children are involved in the children in care councils’ activities and the voice of young people is not embedded everywhere in corporate parents’ thinking”.⁶¹ We recognise that there are challenges to getting children involved and giving them a voice in their care. Many rules or procedures which they would change are in place for valid and important safeguarding reasons; younger children may need extra support to be able to understand and make the difficult decisions; and not every request from a child in care can or should be acted upon. However, we heard from young people who had not been involved when decisions were made about their care. This is not fair to the children involved.

34. Following through on commitments made to young people can be just as important. Many young people in foster care have already experienced difficult and dysfunctional relationships with adults in positions of responsibility. This can lead to feelings of disenchantment and a lack of trust of authority figures. One of the purposes of foster care is to provide these young people with a reliable and stable network of support. It is important that care providers, social workers and others involved in decision making recognise that seemingly minor or trivial details, such as a change to a pre-arranged plan, can have disproportionate impacts upon these children.

Advocacy

35. The young people we heard from were very positive about the impact of advocates. One young person told us that their advocate has been “absolutely phenomenal”,⁶² while another said that in their experience “advocacy makes social workers get up and do the job quicker”. We heard that having an advocate:

57 Q27 [Alison Michalska]

58 Become ([FOS0089](#)), para 6.3

59 Penny Webb ([FOS0064](#)), para 24

60 Nationwide Association of Fostering Providers ([FOS0101](#)), para 48

61 Ofsted ([FOS0054](#)), para 30.

62 Q86

has given me confidence to speak in my meetings now, because at first I didn't feel listened to. Ever since he has started to speak about my points and they've listened to it, I've realised that I can actually speak—that they will hear me, because my voice is important.⁶³

36. Legislation states that all children in care should have access to advocacy services.⁶⁴ However, provision and take-up is mixed, with many young people unaware of their rights or these opportunities. Ofsted reported that there remains “room for overall improvement in children’s awareness and take-up of independent advocacy”.⁶⁵ Alison Michalska, President of the ADCS, attributed this to the churn and shortage of social workers.⁶⁶

Social workers

37. While advocates can offer additional support, the professional most closely involved in the care of a young person in foster care is usually their social worker. The issues which the young people we heard from raised regarding their experiences with social workers were largely focused around turnover, caseloads, and quality, all issues which have been previously recognised and highlighted in work such as our predecessor Committee’s report on social work reform.⁶⁷

38. Many young people highlighted how many social workers they have had, commenting that this makes forming a connection difficult, and that this problem is exacerbated when they lose one with whom they had a good relationship. We were told of the frustrations caused by a social worker not responding to calls or drifting out of contact, or failing to take action on a request for long periods of time, if at all. While good social workers were roundly praised—they “made my life 100 times better”—one young person told us that they did not even know their social worker’s name, causing him to stop seeing social workers as helpful.⁶⁸

39. High quality social work can have an immeasurable impact of the life of a young person in care; however, so can poor quality, overburdened or disrupted provision. Government figures show that there is great variation in the caseloads of children’s social workers. While the average caseload is 16.1 cases per social worker, there is a range from 7.6 to more than 30, with 11 councils with average caseloads of 25 or higher.⁶⁹

Supporting transitions to adulthood

40. One of the purposes of foster care, as with all forms of parenting, is to prepare young people for life after care and living independently. The transition to adult life is challenging for all young people, but for those in foster care there are additional challenges and considerations. Young people are classed as care leavers from their eighteenth birthday. However, as was highlighted by many witnesses, young people not in care do not leave

63 Qq88–9

64 Adoption and Children Act 2002, [Section 119](#)

65 Ofsted ([FOS0054](#)), para 29

66 Qq29–30

67 Education Committee, [Social work reform](#), Third Report of Session 2016–17, HC 201

68 Qq82–5; Action for Children and The Adolescent and Children’s Trust ([FOS0115](#)), pp 5–6

69 Department for Education, [Experimental statistics: Children and family social work workforce in England, year ending 30 September 2016](#), 16 February 2017, p 5, [data table 3d](#)

their families as soon as they reach 18.⁷⁰ Some remain living with their parents well into adulthood, many leave home but return as circumstances change, while most visit home and maintain contact with their families regularly. Yet while initiatives like Staying Put facilitate a degree of contact in early adulthood, young people who leave foster care face obstacles in maintaining ongoing relationships with their former carers. Returning for short periods is hindered by the fact that, if their former carers have new placements, they may need to be DBS checked; similarly, should a young person go to university, they may not be able to come home for holidays as what was ‘their room’ may be occupied by a new young person. We heard that there are some carers and young people who do not know that they are allowed to maintain contact, or know how to do so, and that for many in the system the presumption is that children will leave their foster families.⁷¹

41. Kevin Williams, Chief Executive of The Fostering Network, questioned what being told, in your early- or mid-teens, that they will be leaving the family that cares for them does to a young person’s confidence,⁷² while Professor Harriet Ward from Loughborough University emphasised that young people in foster care need to be supported in maintaining relationships:

These are children who have learnt before they come into care that relationships will end, that they will be severed. We need to be encouraging them to learn that relationships are successful and a positive relationship will persist, not that it will be cut off short.⁷³

Staying Put

42. The Staying Put initiative came into force in May 2014, through the Children and Families Act 2014.⁷⁴ It requires local authorities to facilitate, monitor and support arrangements for fostered young people staying with their foster carers until they reach the age of 21, where this is what they and their carers want. DfE statistics show that in 2016–17 51% of young people were still living with their former foster carers three months after their eighteenth birthday. This is a slight decrease on the figure for 2016. Both the number and proportion of 19 and 20 year olds who remained with their former carers rose again, to 25% from 23% in 2016 and 18% in 2015.⁷⁵

43. Staying Put has been widely welcomed.⁷⁶ The Local Government Association called it “an excellent initiative”,⁷⁷ while the Association of Directors of Children’s Services said that “it is absolutely the right thing to do for our most vulnerable young people”.⁷⁸ Kevin Williams told us that “The policy has the ability to be transformational for long-term outcomes for children in care”.⁷⁹

70 Q77 [Professor Ward], HC (2016–17) 681; Q16 [Gemma Ronte], HC (2016–17) 681; Q98 [Andy Elvin], HC (2016–17) 681; Q100 [Andrew Ireland], HC (2016–17) 681

71 Q74 [Chloë Cockett], HC (2016–17) 681; Qq75, 77 [Kevin Williams], HC (2016–17) 681

72 Q75, HC (2016–17) 681

73 Q77, HC (2016–17) 681

74 Children and Families Act 2014, [Section 98](#)

75 Department for Education, [Children looked after in England \(including adoption\), year ending 31 March 2017](#), 28 September 2017, p 16

76 Q50 [Gemma Ronte], HC (2016–17) 681; Q98 [Andy Elvin], HC (2016–17) 681; Q99 [Harvey Gallagher, Iain Anderson], HC (2016–17) 681; Q100 [Andrew Ireland], HC (2016–17) 681

77 Local Government Association ([FOS0050](#)), para 4.3

78 Association of Directors of Children’s Services ([FOS0099](#)), para 10

79 Q75, HC (2016–17) 681

44. However, there are many issues with the current structure and administration of the initiative. We heard that knowledge of and responsibility for Staying Put varies across the country, and that many carers are confused as to what it means.⁸⁰ As a Staying Put placement is not funded at the same level as the foster placement, it is often expected that the care leaver will contribute financially, and this can force the young person into reliance on benefits at a young age, and change the dynamic between the young person and their foster carers to more of a tenant-landlord relationship.⁸¹ The lower allowances received by carers for Staying Put placements are also a major concern: 40% of respondents to The Fostering Network reported a reduction in their allowances, with a quarter saying that their young person was not able to remain with them because they could not afford the drop in income.⁸² By keeping care leavers with their carers past the age of 18, Staying Put also reduces the number of available places, further impacting capacity in the sector.

45. We also heard that there are concerns over the resourcing of the programme, with current funding levels regarded as insufficient.⁸³ The policy has been backed with £40 million of Government money over the first three years, but the Association of Directors of Children's Services said that data has shown a shortfall of £13 million in new burdens funding allocated to local authorities in August 2014, and this financial gap has increased over recent years as more young people take advantage of Staying Put.⁸⁴ Harvey Gallagher, Chief Executive of the NAFFP, said that "by hugely under-resourcing Staying Put, we have placed the strain on foster carers themselves and relied on their good will rather than the system trying to support them".⁸⁵ Professor Harriet Ward, who worked on the piloting of the Staying Put programme, said that to hear these issues was "heartbreaking", as they were all issues which had been identified during the pilots, and which have evidently not been addressed.⁸⁶

46. Staying Put will not be the right option for every young person leaving care. But at the moment, too many are missing out on the opportunity to take advantage of this welcome programme. Funding and promotion of Staying Put must be improved so that all young people who wish to remain with their carers are enabled to do so. Other young people, who may wish to live independently but maintain contact with their former carers, must similarly be empowered to do so.

Consistency of application of guidelines

47. The Fostering Network has suggested that while some issues in fostering need to be addressed by legislative or regulatory change, many are problems with practice and the prevailing culture.⁸⁷ We heard through this inquiry that while much existing guidance is commendable, consistency of application is often lacking in many areas.

80 Q76 [Jackie Edwards, Kevin Williams], HC (2016–17) 681; Q50 [Gemma Ronte], HC (2016–17) 681

81 Q98 [Andy Elvin], HC (2016–17) 681; Q99 [Harvey Gallagher], HC (2016–17) 681

82 The Fostering Network ([FOS0085](#)), para 7; The Fostering Network's Staying Put working group ([FOS0084](#)), para 11

83 Local Government Association ([FOS0050](#)), para 4.3; Q99 [Iain Anderson], HC (2016–17) 681; Q50 [Gemma Ronte], HC (2016–17) 681

84 Association of Directors of Children's Services ([FOS0099](#)), para 10

85 Q99, HC (2016–17) 681

86 Q76, HC (2016–17) 681

87 The Fostering Network ([FOS0085](#)), para 1

48. *We hope that the Government's review focuses on this issue, and recommend that the Government takes action to ensure consistency of practice and application of guidance with regards to:*

- *Preventing placement breakdown, by encouraging foster care providers to resolve issues earlier and offer support to build a family environment;*
- *Giving accurate and relevant information to foster carers and young people prior to the commencement of a placement, and sufficient notice in advance of a placement change;*
- *Placing young people with their siblings whenever it is possible and appropriate to do so, and facilitating regular and meaningful contact when it is not;*
- *Ensuring that policies for listening to and engaging with children and young people are being followed in meaningful ways;*
- *Keeping young people informed about decisions and developments regarding their care;*
- *Providing young people with advocacy services, and explaining their role and availability.*

3 Valuing foster carers

49. In caring for some of the most vulnerable young people in society, often with high levels of need and traumatic backgrounds, foster carers perform an invaluable service to the nation. It is an immensely challenging role, which is performed with dedication, love, and often great sacrifice, both to themselves and their families. We place on record our appreciation to the thousands of foster carers who open their hearts and homes to caring for our young people.

50. However, our inquiry has highlighted that many foster carers are struggling in the current system. Gemma Ronte, a foster carer from Wandsworth, pointed out that the fact that a group of foster carers voted to unionise in 2016 is indicative of the strength of feeling and desire for change;⁸⁸ another carer told us that being a full-time foster carer is “barely tenable as things currently stand”;⁸⁹ and Brian Roberts told us that some carers he works with are so “battered” and “abused” by the system, “so incredibly unsupported, neglected and are feeling totally overwhelmed”, that they stop fostering.⁹⁰ While disillusionment to this extent is not the norm, it is clear that support for foster carers must be improved.

51. The foster carers we heard from suggested that the system in England needs fundamental reform. Brian Roberts said that “there now needs to be a root and branch look at a change in what we are doing. We have been trying one way for 20 years; it is now time for a change”,⁹¹ while Michael Fesemeyer believed that

It is a situation where at the moment we are trying to put sticking plasters on it [...] There are fundamental problems here, right throughout the whole system. What needs to happen is we basically need to tear the piece of paper up and start again.⁹²

Working conditions

Financial support

52. Foster carers receive a weekly fostering allowance, which is designed to cover the cost of caring for the fostered child. This is based on minimum allowances, set out by the Government, which vary according to the age of the child and where in the country they are cared for.⁹³ Carers can also receive fees, which are additional payments made on top of the allowance to recognise or reward a foster carer’s time, skills or experience. These are not mandatory, with levels set by individual agencies.⁹⁴

53. For many carers, current levels of financial reimbursement are insufficient. The Fostering Network’s 2017 ‘State of the Nation’s Foster Care’ report, based on survey responses from 2,530 foster carers, found that only 42% of carers felt that their allowances

88 Q5, HC (2016–17) 681

89 Anonymous (FOS0005), para 9

90 Q10, HC (2016–17) 681

91 Q4, HC (2016–17) 681

92 Q2, HC (2016–17) 681

93 HM Government, ‘[Foster carers: Help with the cost of fostering](#)’

94 According to surveys by the Fostering Network, the majority of carers receive additional fees. The Fostering Network, *State of the Nation’s Foster Care 2016: What foster carers think and feel about fostering*, January 2017; The Fostering Network, *Payment Survey - the views of foster carers in England*, October 2017

covered the costs of providing foster care, down from 80% in 2014. 56% of respondents said that their household income is reliant on the money they receive from fostering, with two-thirds of carers having no other paid work.⁹⁵

54. The Fostering Network recently conducted a survey of all 150 local authorities in England, using freedom of information requests to get a picture of fostering income across the country. They found that 12% of local authority fostering services in England are currently paying below the Government’s minimum allowance for at least one age-bracket of child. The results also showed that while the Government increased its recommended allowances this year, 47% of authorities froze their allowances, while five appear to have reduced their rates when compared to 2016–17.⁹⁶

55. The Fostering Network has also found that only 19% of local authority carers and 8% of independent foster care provider carers receive retainer fees between placements, and a sizeable proportion of carers receive a lump sum including the child’s allowance and their fee, breaching the national minimum standard which states that there must be clear distinctions between the two amounts.⁹⁷ The taxation system is also unclear and complex for many carers, and as tax exemption thresholds for carers have been in place for more than a decade many carers are being taxed on money given to them as their child’s allowance—in essence, costing them to foster.⁹⁸

56. The Minister responded to questions about whether the financial support foster carers receive is commensurate with what they do, saying that “being a foster carer is not like any job”, and that they should be considered as the family to these children. However, one young person in care offered an opposing view:

[The Minister’s answer] was that they do the job but it is not that special because everyone looks after kids. But I feel that they are important because they do the job of taking care of somebody else’s child. I feel that they should get paid a little bit more because sometimes they have to take money out of their own pockets for trips and activities for the child, when sometimes they can’t actually afford it. It is hard for them to balance their life and that child’s life together.⁹⁹

57. ***The Government must:***

- ***Ensure that all foster carers are paid at least the national minimum allowance;***
- ***Consult on national minimum allowance levels, to investigate the level of funding needed to match rises in living costs and allow carers to meet the needs of those they are caring for;***
- ***Review and update current taxation rules for foster carers.***

95 The Fostering Network, [State of the Nation’s Foster Care 2016: What foster carers think and feel about fostering](#), January 2017, pp 25–7

96 The Fostering Network, [England Foster Care Allowances and Fees Survey 2017–18: Summary Report](#), 22 December 2017

97 The Fostering Network, [Payment Survey - the views of foster carers in England](#), October 2017, pp 4, 10

98 Q16 [Gemma Ronte], HC (2016–17) 681; Q19 [Brian Roberts], HC (2016–17) 681; Brian Roberts ([FOS0059](#)), para 30; Wandsworth Foster Carers’ Association ([FOS0034](#)), para 21; Karen and Michael Fesemeyer ([FOS0044](#)), para 36–7; FosterTalk ([FOS0053](#)), para 5

99 Q150

Employment status

58. Foster carers are classified as self-employed. However, witnesses told this inquiry that they were “in this horrible greyness” where they “have the downside of it without the upside”¹⁰⁰ in “bogus self-employment”¹⁰¹ which “breaks every Government standard for self-employment”.¹⁰² While they have the responsibilities of self-employed workers—such as completing tax returns—they do not control their registration (which is owned by the agency for whom they foster), can only work for one employer, and do not have control over their income and expenditure. They also have less portability than other self-employed workers, as if they wish to move location they require reassessment and training, which can take up to a year. They also have limited protection in the case of events such as allegations being made against them, and do not have the benefits that accompany employee status, such as sick pay, holiday allowances or pension rights.

59. We note with interest the call of our colleagues on the Work and Pensions and Business, Energy and Industrial Strategy Committees, who recommended in their recent report, *A framework for modern employment*, that the Government legislate to introduce greater clarity on definitions of employment status. The Committees also proposed a definition of ‘worker by default’, for those whose designation of self-employment is not an accurate reflection of their work, which may have relevance for foster carers.¹⁰³

60. ***We consider it unsatisfactory that foster carers are subject to the responsibilities of self-employed status without the benefits. In light of the recommendations of the Work and Pensions and Business, Energy and Industrial Strategy Committees, the Government must state whether self-employment is the appropriate employment status for foster carers.***

Respect and recognition

61. A recurrent issue which emerged throughout this inquiry was the amount of respect and recognition foster carers receive for the work they do. The charity Become told us that as those that know the individual child best, and who often have many years of training and experience behind them, “carers need to be automatically seen as experts with a place at the table alongside other professionals”;¹⁰⁴ Christina Brandi from The Fostering Network said that “When you are talking about the person that could speak for the child with the loudest voice, knowing that child best, in most cases the most appropriate person is the foster carer”;¹⁰⁵ and the British Association of Social Workers said that “they are an important member of the team around the child and need to be recognised as such”.¹⁰⁶ However, we heard that this is often not the case.

62. Pamela Menzies, a foster carer and a social worker, told us that she sees carers “undermined, bypassed and treated as glorified babysitters”,¹⁰⁷ Brian Roberts, a foster

100 Q16 [Gemma Ronte], HC (2016–17) 681

101 GMB Union (FOS0056), para 72

102 Anne Sayer (FOS0068), para 4; Q12 [Anne Sayer], HC (2016–17) 681

103 Work and Pensions and Business, Energy and Industrial Strategy Committees, ‘[A framework for modern employment](#)’, Second Report of the Work and Pensions Committee and First Report of the Business, Energy and Industrial Strategy Committee of Session 2017–19, HC 352, pp 9–11

104 Become (FOS0089), para 5.4

105 Q33

106 British Association of Social Workers (FOS0043), para 31

107 Pamela Menzies (FOS0029), para 3

carer of more than 20 years' experience, said that some authorities just see carers as "a resource to be utilised",¹⁰⁸ while Karen and Michael Fesemeyer claimed that "foster carers are at the bottom of the pecking order and their views, opinions, knowledge and experience are usually considered to be of very low value".¹⁰⁹ Susan Taylor summed it up by saying that "as long as fostering is treated as some sort of kind-person volunteering then it will not be successful".¹¹⁰

63. We were told that a lack of respect for the role of foster carers causes tensions and difficulties in their relationships with social workers and other professionals involved in the care of those they foster. When their own knowledge or opinions are not taken into account, many carers resent being told what to do and having decisions made for them by those with less experience or knowledge of their child, or fostering generally, than themselves.¹¹¹

64. The lack of respect and recognition for foster carers has consequences in practice. We heard that the use of delegated authority—carers' authority to make decisions as would be reasonably granted by parents—is "patchy, too infrequent, too limited and incoherent",¹¹² and that carers can be excluded or marginalised from meetings, either by design or circumstance. Gemma Ronte described how meetings can be scheduled in ways that make it difficult for the carer to attend—in the middle of the working day, at short notice, or at great distance—saying that in this habit of 'last-minutism' "it is very easy for carers to feel isolated marginalised, under-respected".¹¹³ Brian Roberts said that the system needs to start

viewing foster carers as professionals and taking seriously their role within the teams that surround the child, not seeing them as some bolt-on that are there sitting to do anything anyone asks at any point.¹¹⁴

65. Foster carers have the greatest knowledge and deepest understanding of the child's situation and behaviour: they are the experts. Any discussion or decision that does not include the carer must be regarded as incomplete.

Professionalisation

66. One proposed means of addressing the issues surrounding working conditions for foster carers has been greater professionalisation. To this end a group of foster carers met in Westminster in September 2016 and voted to unionise, under the Independent Workers' Union of Great Britain (IWGB). The Vice-President of the IWGB called it a "monumental step forward in the fight for respect, fair remuneration and proper working rights for foster carers".¹¹⁵ In October 2017 Sarah Anderson, a foster carer for Hampshire County Council who chairs the IWGB's foster care workers branch, issued an employment tribunal claim

108 Q11, HC (2016–17) 681

109 Karen and Michael Fesemeyer (FOS0044), para 3

110 Susan Taylor (FOS0020), para 5

111 Wandsworth Foster Carers' Association (FOS0034), para 9.6; Francis Boyle (FOS0003), para 7; Q26 [Gemma Ronte], HC (2016–17) 681; Q30 [Brian Roberts], HC (2016–17) 681; Q120 [Andy Elvin], HC (2016–17) 681; Q61 [Andy Elvin]

112 Nationwide Association of Fostering Providers (FOS0101), para 37; Q65, HC (2016–17) 681; Q91

113 Qq35–6, HC (2016–17) 681

114 Q15, HC (2016–17) 681

115 Independent Workers' Union of Great Britain, '[BREAKING NEWS: Foster Carers vote to Unionise!](#)', 20 September 2016

against the council, arguing for worker's rights.¹¹⁶ Earlier in the year, an employment tribunal in Glasgow found that two foster carers were employees under Scottish law. However, the carers in question were specialist carers, and in his report the judge said that "in finding for the claimants in this case I am not in any way making a finding about the status of ordinary mainstream foster carers".¹¹⁷

67. We found that there are mixed feelings towards the idea of professionalisation amongst those in the sector. One foster carer told us that "Foster carers are professionals. There is no doubt about it",¹¹⁸ while another writing anonymously said that

there is absolutely no conflict between being caring, and being treated and remunerated as a professional. Teachers do it, social workers do it, nurses do it. It is not possible to buy 'caring' and 'compassionate', but it is possible to recognise, improve and reward it where it already exists.¹¹⁹

However, the Local Government Association and the Association of Directors of Children's Services were more reserved in their view:

we would urge caution around over-professionalising foster care. Foster carers are not, nor do they need to be, social work professionals.¹²⁰

68. Alison Michalska, President of the Association of Directors of Children's Services, told our predecessor Committee that people can get "hung up on the word 'professional'", echoing other witnesses who argued that the real issue is improving standards and the support that foster carers should receive, rather than recognising them as a distinct employed profession or focusing on semantics.¹²¹ She said that in her view "the foster carer is the absolute expert for the children they are working with and should be treated as any other parent, any other professional".¹²² BASW concurred, believing that foster carers should have "employment-like" conditions of service, and should expect the duty of care that all employers owe to those who work for them.¹²³

69. Others pointed out that we should be cautious of dehumanising foster care, and losing the essence of what fostering is.¹²⁴ A young man who lived in care until he was 18 told us that

I don't think they should be asking for a minimum wage or campaigning for a union for foster carers. Unlike residential care, being a foster carer is not a job. Foster care is about offering your home and creating a family life for the young person who, for whatever reason, can't live with their birth parents.¹²⁵

116 BBC News, 'Foster carer fights for workers' rights', 9 October 2017

117 *Johnstone v Glasgow City Council* (ET (Scotland), 2 June 2017, unreported)

118 Q16 [Gemma Ronte], HC (2016–17) 681

119 Anonymous (FOS0005), para 9

120 Local Government Association (FOS0050), para 7.4; Association of Directors of Children's Services (FOS0099), para 17

121 Q19; Qq131, 135 [Dave Hill], HC (2016–17) 681; Q134 [Jon Fayle], HC (2016–17) 681

122 Q19

123 British Association of Social Workers (FOS0043), para 32

124 Q122 [Andrew Ireland], HC (2016–17) 681; Q146 [Robert Goodwill]

125 Jack Smith (FOS0106), para 5

70. The Minister also opposed professionalisation. While accepting that the Government needs to improve the status of foster carers, he argued that “any move to employees would be a bad move”.¹²⁶

71. We do not believe that foster carers should be officially classified as ‘professionals’. However, it must be universally recognised and understood that they are the experts with regards to the life and care of their child, and they must be afforded the same respect and professional courtesies as would be extended to a birth parent or any other care professional involved in the care of looked-after children.

Training

72. Concerns have also been raised over the standard, amount and content of training currently on offer to foster carers. Carers told us that they only received a few days’ worth of training, which did not cover many of the issues they would face in their time fostering: “What you are trained for is a very nice world, and it is not the same”.¹²⁷ Dr John Simmonds from CoramBAAF said that the needs of carers exceed the “generic training” on offer depending on the kinds of children they are placed with, while Tay Jiva from Penny Appeal, an organisation which works with the Muslim community, stated that she is not aware of any training which sufficiently prepares carers for looking after Muslim children.¹²⁸ Dr Ruth Allen, CEO of the British Association of Social Workers, added that “foster carers are often invisible in local inter-disciplinary training plans”.¹²⁹

73. When questioned on training for foster carers, Katy Willison from the Department for Education explained that, beyond the training support and development standards which foster carers are obliged to undertake within their first 12 months caring, the Government has made the decision to leave it to local authorities to provide further training or development in their areas.¹³⁰ However, it was pointed out to us that current funding and resource pressures on local authorities have meant that many councils are only putting on the training they can afford to run.¹³¹ A report by The Fostering Network found that over half of carers surveyed felt that training was being affected by cuts, with a noticeable reduction in the availability and quality of training on offer.¹³² Many foster carers are therefore having to source and fund training themselves.

74. As a result, many have suggested the creation of a nationally accredited and standardised training and development programme.¹³³ Witnesses who appeared before the Committee were largely in favour—Dave Hill, then President of the ADCS, said that “it sounds like a jolly good idea”, while Councillor Richard Watts, Chair of the Local Government Association’s Children and Young People Board, agreed that “it has a lot going for it”, so long as it is done with a light-touch so that it does not become a “strangling, over-bureaucratic thing that is driven from the top”.¹³⁴ However, we were also told that

126 Qq146–7

127 Q22 [Michael Fesemeyer], HC (2016–17) 681; Q4 [Brian Roberts], HC (2016–17) 681; Q20–4 [Anne Sayer, Michael Fesemeyer], HC (2016–17) 681

128 Q20

129 Q144, HC (2016–17) 681

130 Q149

131 Q144 [Rachel Harrison], HC (2016–17) 681

132 The Fostering Network, *CUTS: the view from foster carers*, April 2016, p 8

133 Q55 [Kevin Williams]; Q24 [Michael Fesemeyer]; British Association of Social Workers ([FOS0043](#)); The Fostering Network ([FOS0085](#))

134 Qq143–4, HC (2016–17) 681

as all children's and carers' needs are different a 'one size fits all' approach may not be appropriate, that many carers do not want additional classroom time or lectures as it is difficult to find time and because many things are best learned through practice or experience, and that what is often of most benefit is the ability to meet and discuss with fellow carers with the same experiences.¹³⁵

75. We appreciate that initial training cannot be comprehensive, and that many things can only be learned on the job. However, there is a great need for more ongoing training and development for foster carers. We recommend that the Government works with experts and organisations in the sector to develop high-quality training resources for foster carers, and make them available nationwide.

Allegations

76. Another issue that is of great concern to foster carers is that of allegations made against them. Ofsted figures show that the number of allegations made against foster carers has been increasing in recent years, with the figure for 2016—2,450 allegations made, affecting 2,300 foster carers—showing an increase of 32% on 2013. However, although over half of all allegations were resolved with no further action, 20% resulted in continued monitoring, and another 20% were subject to investigations which lasted for more than ten weeks.¹³⁶ This is a major issue for foster carers, who have limited protection and support during this time.

77. Foster carers told us that once an allegation is made, children have been removed from the foster home, often with little or no warning, with fee payments to carers ceasing and information withheld.¹³⁷ FosterTalk said that carers “are often completely cut adrift from their service, provided with little information or explanation, and nothing by way of support, despite National Minimum Standards setting out what they are entitled to receive”;¹³⁸ Michael Fesemeyer told of his experience when he was “hung out to dry”;¹³⁹ while the Reverend Andrew Gale added that “the problem is that those who once supported you are part of the team investigating you, so can no longer have any contact except when involved in the investigation”.¹⁴⁰

78. Many carers also reported feeling scared about raising concerns to their fostering agency, or ‘whistleblowing’, as they do not want to be deemed as being unable to cope, with future placements and income stopped, and there is a fear of ‘blacklisting’ or deregistration:¹⁴¹ “a real and ever-present threat when dealing with the authorities and agencies” according to one respondent.¹⁴² Due to their self-employed status, foster carers are not currently seen as whistleblowers by regulatory bodies and are not covered by the Public Interest Disclosure Act 1998, which protects whistleblowers from victimisation.¹⁴³ Many organisations, including The Fostering Network, Public Concern at Work, and r

135 Q24 [Gemma Rontel], HC (2016–17) 681; Q31 [Anne Sayer], HC (2016–17) 681; Q20 [Dr John Simmonds, Alison Michalska]

136 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, p 25

137 Qq47–8 [Michael Fesemeyer], HC (2016–17) 681; Q48 [Brian Roberts], HC (2016–17) 681

138 FosterTalk (FOS0053), para 27

139 Qq9, 47, HC (2016–17) 681

140 Reverend Andrew Gale (FOS0006), para 7

141 Q13 [Anne Sayer], HC (2016–17) 681; GMB Union (FOS0056), paras 8, 84, 124

142 Karen Mardle (FOS0047), para 12

143 [Public Interest Disclosure Act 1998](#)

Anthony Cooper’s Whistleblowing Commission, have recommended extending the Public Interest Disclosure Act to cover foster carers.¹⁴⁴

79. *The Government should bring forward legislative proposals to extend the scope of the Public Interest Disclosure Act to cover foster carers, so that they are protected during proceedings or when raising concerns of their own, and safeguarded from the consequences of malicious or unfounded accusations.*

Other support

80. There were several other issues that were raised during this inquiry with regards to support for foster carers. We were told that many carers feel isolated and unsupported:

It is a shared wisdom in our society that new parents are best supported by peers, other families and their wider network. In foster care, that same support network is not provided.¹⁴⁵

While some carers have access to forums or groups where they can discuss issues, availability and quality is variable, and we heard that they can be chaperoned or monitored by their agencies, making it difficult to speak honestly.¹⁴⁶ Access to respite care is also variable, and in the absence of being able to take a break between placements many carers are having to choose between giving up completely or ploughing on regardless.¹⁴⁷ We heard that, while growing numbers of organisations are becoming ‘foster friendly’ and offering greater flexibility to their workers, many employers are not supporting carers, meaning that they are unable to take time off to train or attend meetings.¹⁴⁸ This makes finding and holding down employment even tougher for foster carers.

81. Anne Sayer explained to us that improved support is particularly needed for new carers. She said that while “Nothing ever prepares you for the reality of it because it is like being at a cliff edge”, there are steps that can be taken to make the transition to foster care easier:

What I would like to see is somehow an easier transition from that old life into the new life. Let’s not throw carers in at the deep end. Let’s help them learn a little bit more about what foster caring is all about. Get them to do respite for other foster carers as a pre-requisite for becoming short-term carers. Let’s not set them up to fail.¹⁴⁹

A new national body

82. One suggestion for improving conditions for foster carers was the establishment of a national register or college for foster carers, along the lines of those that exist for other care professions. In the views of the numerous carers and organisations which proposed it, a central body and register, which could contain carers’ details along with levels of

144 The Fostering Network (FOS0085), para 15–6; Public Concern at Work (FOS0090), para 18; The Whistleblowing Commission, *Report on the effectiveness of existing arrangements for workplace whistleblowing in the UK*, November 2013, p 19

145 Q189 [Melissa Green], HC (2016–17) 681

146 Qq17, 19, 30 [Michael Fesemeyer, Brian Roberts, Gemma Ronte], HC (2016–17) 681; Q31 [Gemma Ronte], HC (2016–17) 681; Q139 [Rachel Harrison], HC (2016–17) 681

147 Q168 [Dr Heather Ottaway], HC (2016–17) 681; Q191 [Melissa Green], HC (2016–17) 681

148 Q9 [Michael Fesemeyer], HC (2016–17) 681; Q26 [Brian Roberts], HC (2016–17) 681; Q36 [Christina Brandi]

149 Qq10, 20 [Anne Sayer], HC (2016–17) 681

experience, training and qualification, would make it easier for carers to transfer between agencies, enable better safeguarding, drive up standards in training and support for carers, and stop the current waste of time and resources. It could also be responsible for the registration and deregistration of carers, and for handling complaints and allegations.¹⁵⁰

83. Again, there were mixed feelings within the sector. Several witnesses supported a register, primarily for reasons of portability and addressing gaps or shortages, while believing that a college or other body that could represent foster carers to Government would be beneficial.¹⁵¹ Michael Fesemeyer told us that he thought

a college or an institute would help us enormously. It would give us status, it would give us professional standards, it would not be very expensive, it would give us a huge amount of camaraderie as well.¹⁵²

84. Dave Hill, then President of the ADCS, was initially open to the idea of a national register of foster carers, believing that it would have “real merit”, but changed his mind upon further explanation from Rachel Harrison on behalf of the GMB Union on how such a register could enable better matching by finding suitable carers in other areas of the country:

I am so implacably opposed to that. That seems to me a world gone crazy [...] The idea that there might be a national register, which I am glad you clarified, against which anybody could place a child—I just cannot see in a million years how that would work.¹⁵³

85. In a subsequent note to the Committee, the Association of Directors of Children’s Services and the Local Government Association voiced strong concerns over the possibility that such a register could be used to place children far away from their home areas, believing that children should be placed as near to their families as possible to allow the ‘corporate parents’ to work more effectively and maintain the meaningful connections and relationships which are important to children. They also feel that the bureaucracy and resources required would be better invested in services to support children directly.¹⁵⁴ Speaking to us later in the year, the new President of the ADCS, Alison Michalska, was similarly opposed to a register, claiming it would be too unwieldy, permanently out of date, and would create wasted bureaucracy.¹⁵⁵

86. When asked about a potential register the Minister was open-minded: “There are pros and cons ... The jury is out, as far as I am concerned”.¹⁵⁶ Chloë Cockett, from the charity Become, emphasised that the benefits to children in care should be foremost in any consideration of new structures: “we need to think about what the outcome is for the children [...] When we are looking at having a register, what is the motivation, what will it achieve?”¹⁵⁷

150 Qq55, 60 [Kevin Williams], HC (2016–17) 681; Q60 [Jackie Edwards], HC (2016–17) 681; Penny Webb (FOS0064), para 12; Pamela Menzies (FOS0029), para 9; Reverend Andrew Gale (FOS0006), para 6; The Fostering Network (FOS0085), para 17–8; Francis Boyle (FOS0003), para 2; Karen Mardle (FOS0047), para 15

151 Q60 [Kevin Williams], HC (2016–17) 681; Qq124, 129 [Jon Fayle], HC (2016–17) 681; Qq127–8, 140 [Rachel Harrison], HC (2016–17) 681; Q177 [Professor Judy Sebba, Matthew Brazier], HC (2016–17) 681

152 Q17, HC (2016–17) 681

153 Q140, HC (2016–17) 681

154 Association of Directors of Children’s Services and the Local Government Association (FOS0113)

155 Q18

156 Q144

157 Q61, HC (2016–17) 681; Q125 [Dave Hill], HC (2016–17) 681

87. We believe that a national structure could bring great benefit to foster carers and, by extension, to the young people for whom they care. We fully take on board the concerns of the LGA and ADCS, and any new structure must not be used to negatively affect placement decisions. However, we feel that a central body, including a register of carers to support portability and understanding of the characteristics of current provision, that could centralise training and developmental resources, and effectively represent its members to Government, would be worth the bureaucratic effort. Such bodies are already instituted for other care professions, and if foster carers are to be treated with the measure of equality that they deserve, they must have their voice heard, their needs met, and their development supported.

88. We recommend that the Government develops and consults widely, including with foster carers, on proposals for a national college for foster carers. For a college to be truly national and accessible, it should be a virtual association, which works to represent foster carers, share knowledge and resources, and bring greater prestige to the role of foster carers.

4 Valuing care

89. As stated earlier, we welcome the Government’s work on adoption, residential care and social work reform in recent years. However, this focus on other placement options has contributed to a common belief that foster care is of lesser status. Many respondents to our inquiry said that while adoption is promoted as the ‘gold standard’, fostering was seen as “a stepping stone towards adoption rather than the best service to meet need in its own right”,¹⁵⁸ a “second or even third best option”,¹⁵⁹ and “the poor relative, not given the backing it deserves”.¹⁶⁰ The ADCS and BASW both believe that the Government needs to act to tackle these views:

the debate must be broadened to reflect the range of permanence options available ... the narrative around the care system, including the notion that adoption is the gold standard in permanence, must be challenged.¹⁶¹

90. People have also raised concerns that the way fostering is portrayed is too negative. We heard that “media coverage can give a polarised view of either the super human foster carer or the abusive foster carer”,¹⁶² and, as was highlighted in our predecessor Committee’s report into social work,¹⁶³ stories related to children’s social care in the media invariably focus on negative or tragic instances. Phrases such as ‘languishing in care’ devalue and stigmatise children in care and those that work with them, while the overtly negative narrative implies that children in foster care are inevitably headed towards negative outcomes.¹⁶⁴

91. It is widely held that a more positive narrative of the care system and the role of carers needs to be articulated by all agencies, including the Government.¹⁶⁵ As Dave Hill stated, “we are not doing enough to talk about how foster caring is a great thing”.¹⁶⁶ In 2016 our predecessor Committee called on the Government to launch a national public awareness campaign to celebrate the positive aspects of social work and boost the profile of the profession.¹⁶⁷ We believe that the Government should do a similar thing for fostering. While portrayals need to be accurate and realistic, it is vital that the positive impacts of foster care and foster carers in improving the lives of vulnerable children are more widely acknowledged and celebrated.

92. However, valuing foster care does not just mean boosting its profile and praising carers. In order to demonstrate that it really does appreciate the hard work of all those involved and the benefits that foster care can bring, the Government must support for the foster care system, and provide it with the resources it needs to function effectively.

158 Nationwide Association of Fostering Providers ([FOS0101](#)), para 15

159 Brian Roberts ([FOS0059](#)), para 18

160 Tracy Mese ([FOS0028](#)), para 1

161 Association of Directors of Children’s Services ([FOS0099](#)), para 3; Q145 [Dr Ruth Allen], HC (2016–17) 681

162 Excel Fostering ([FOS0058](#)), para 3

163 Education Committee, *Social work reform*, Third Report of Session 2016–17, HC 201, pp 26–7

164 Centre for Research on Children and Families, University of East Anglia ([FOS0067](#)), para 4.2; Local Government Association ([FOS0050](#)), para 7.1; Q103 [Andy Elvin], HC (2016–17) 681; Q151 [Jon Fayle], HC (2016–17) 681

165 Essex County Council ([FOS0052](#)), para 63; Association of Directors of Children’s Services ([FOS0099](#)), para 15; Q122 [Andrew Ireland], HC (2016–17) 681

166 Q151, HC (2016–17) 681

167 Education Committee, *Social work reform*, Third Report of Session 2016–17, HC 201, p 27

Capacity

93. As of 31 March 2017, there were 53,420 young people living in foster care in England. This is an increase of 4% on 2016, of over 6% on 2012, and of more than a third since 2002.¹⁶⁸ The number of foster carers has been decreasing over the last few years,¹⁶⁹ and Ofsted’s most recent annual statistics show that there have also been drops in the number of fostering households. However, the number of approved foster places rose by 3% between 2015 and 2016, to 83,175, and 61% of fostering places were filled while 23% were vacant, with the remainder not available. This means that there were more vacancies in 2016 than in the previous two years.¹⁷⁰

94. However, the scale of available capacity in the foster care system is misleading. While there are currently more placements than young people requiring foster care, this does not mean that there are a large number of options for each child needing to be placed—”They are not all real vacancies”.¹⁷¹ There are many potential places that cannot be used, for a variety of reasons. Carers living near county borders are often unable to offer placements to children from a different local authority even though they may live nearby; some available placements may not be appropriate for a child because of their particular needs; and carers are assessed according to what types of young people they wish to care for, so may be unable or unwilling to take placements outside of their range. As one witness pointed out, “foster carers are registered based on the age of the child they want to look after [...] so depending on the demographics of what children are in care, we cannot say that there is a surplus”.¹⁷²

95. While the Department for Education stated that “there is no overall shortage of foster carers at a national level”, it did accept that there are shortages in some areas and for some specialisms.¹⁷³ It has been suggested that the Government carry out a national survey of fostering households, so as to gain a clearer idea of the demographics of the foster care system and contribute to a comprehensive gaps and needs analysis to enable better planning and targeted action.¹⁷⁴

Issues that affect capacity

96. There are several factors which are affecting the available capacity of the foster care system, besides growing numbers of children entering care and falling numbers of carers. There is an uneven geographic spread of carers across the country, with councils struggling to recruit carers in areas of high property prices or levels of deprivation.¹⁷⁵ In the current economic climate, more people are living with their parents until a later age, and many families have to support their children for longer, inhibiting their ability to welcome other young people into their homes.¹⁷⁶ As already detailed, increasing take-up of Staying Put also reduces the number of available places.¹⁷⁷

168 Department for Education, *Children looked after in England (including adoption), year ending 31 March 2017*, 28 September 2017, p 8; Department for Education ([FOS0086](#)), para 9

169 See paragraph 103

170 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, p 7

171 Q103 [Harvey Gallagher], HC (2016–17) 681

172 Q110

173 Department for Education ([FOS0086](#)), para 31; Qq105–7 [Robert Goodwill]

174 FosterTalk ([FOS0053](#)), pp 6–7; Q56 [Jackie Edwards], HC (2016–17) 681

175 Association of Directors of Children’s Services ([FOS0099](#)), para 7

176 Anne Sayer ([FOS0068](#)), para 5; Essex County Council ([FOS0052](#)), para 4

177 See paragraph 44

97. Another factor which is placing additional pressure on the foster care system is the rising numbers of unaccompanied asylum seeking children (UASC) entering the care system. Figures for 2016–17 show that the number of looked-after UASC rose by 6% on the previous year, to 4,560, to make up 6% of the overall looked-after children population. There has been a rise of 134% in the number of UASC since 2013.¹⁷⁸ 55% of UASC live in foster placements.¹⁷⁹

98. There is an uneven geographical split in terms of placement of UASC around the country, with the vast majority based in London and the South East—Kent experienced a 136% rise between 2015 and 2016¹⁸⁰—although distribution is being spread wider due to the implementation of a National Transfer Scheme.¹⁸¹ Funding is also an issue, with research by the Association of Directors of Children’s Services finding that 43 of 44 local authorities felt national funding was not sufficient, with some predicting budget pressures of £1.5–£2 million. The ADCS projected a cost to local authorities of £3.4 million per annum per 100 UASC over and above Home Office grants, which cover no more than 50% of costs incurred by the local authority.¹⁸² Growing numbers of UASC also place additional burdens on the foster care system as 41% are said to have mental or psychological health needs, are also more likely to remain in care until they are 18 than other young people, thereby requiring longer support from local authorities, and will require placement with experienced and highly-skilled carers.¹⁸³

Need to increase capacity

99. The figures show that there are technically enough foster carers (72,670) and foster places (83,175) to care for the number of young people requiring foster care (53,420). However, the Fostering Network has stated that 7,600 new foster families are needed to adequately meet need in England,¹⁸⁴ with its Chief Executive, Kevin Williams, telling us that “the system as a whole is under immeasurable strain at the moment”¹⁸⁵

100. Fostering does not work on a simple one-for-one basis: not all carers are suitable to care for all ages of children, and many young people in care have differing needs which require a diverse pool of foster carers. As one witness told us, “It is not about a bed. We do not put children in beds. We match them with a carer who meets their needs”.¹⁸⁶ The fostering system requires a surplus of available places for young people needing foster care so that they can be suitably matched with the best and most appropriate foster carer.

178 Department for Education, *Children looked after in England (including adoption), year ending 31 March 2017*, 28 September 2017, pp 6–7

179 Association of Directors of Children’s Services, *Safeguarding Pressures Phase 5—Special Thematic Report on Unaccompanied Asylum Seeking and Refugee Children*, November 2016, p 19

180 Department for Education, *Children looked after in England (including adoption) year ending 31 March 2016*, 29 September 2016, p 6

181 This was introduced by the Government in July 2016, and is predicated on each local authority accepting UASC up to 0.07% of its child population in order to ensure equitable distribution across the country.

182 Association of Directors of Children’s Services, *Safeguarding Pressures Phase 5 - Special Thematic Report on Unaccompanied Asylum Seeking and Refugee Children*, November 2016, pp 27, 30; Q102 [Andy Elvin, Andrew Ireland], HC (2016–17) 681

183 Q102 [Andrew Ireland, Harvey Gallagher], HC (2016–17) 681

184 The Fostering Network, *‘Over 9,000 more fostering households urgently needed during 2016’*, 7 January 2016

185 Q55, HC (2016–17) 681

186 Q56 [Jackie Edwards], HC (2016–17) 681

101. **Capacity in the foster care system must be increased. There must be a range of placements options for young people requiring foster care so that they can be assured of the best and most appropriate home.**

102. *The Government’s approach to dealing with capacity issues must not only focus on increasing capacity but also look to support children and families before they reach crisis point and need to enter the care system. The Government must be proactive, and focus more energy and resources on early intervention. More support must be given to children and families when they first need help so that, where possible and appropriate to do so, they are enabled to stay together.*

Recruitment

103. The number of foster carers in England has seen small yearly decreases since a peak in 2013–14. As of 31 March 2016 there were 72,670 approved foster carers in England, including family and friends carers and short-breaks only carers, down from 73,845 in 2015 and 74,125 in 2014. Ofsted’s latest annual statistics show that there was a drop of 2% in the number of initial enquiries between 2015 and 2016, following a decrease of 10% the previous year, and a drop of a third in the number of applications. These are decreases from 2013–14 of 11% and 45% respectively. The completion rate for applications was also the lowest in the last four years, but the approval rate was the highest, up 13% on the previous year, suggesting that agencies are improving the filtering of good potential foster carers.¹⁸⁷

Advertising

104. As being a foster carer is a difficult and all-consuming role, there are challenges in attracting new people. However, the current state of the recruitment market is not conducive to rectifying this situation. As every foster care provider advertises and recruits separately, the market can become crowded and confusing for prospective foster carers, especially with the differences in types of provider. Often, prospective foster carers will end up just contacting the provider which advertised most effectively or expensively, rather than the one who would be the best fit or offer the best support.¹⁸⁸

105. We also heard from current foster carers who told us that many depictions of fostering in marketing and advertising campaigns are unrealistic and inaccurate, and lead to new carers being unprepared for the realities of fostering. Anne Sayer said that current recruitment drives focus “on the idea that you can be a foster carer if you have room in your heart and room in your home. It does not come close to the complexity in any shape or form of what foster caring involves”.¹⁸⁹ Brian Roberts, who works with other foster carers, told us that “I will tell it like it is, and certainly that appears to be very different [...] from what is the marketing drive for fostering”.¹⁹⁰

187 Q154 [Matthew Brazier], HC (2016–17) 681; Ofsted, *Fostering in England, 2015–16*, 28 February 2017, pp 10–12

188 Penny Appeal ([FOS0042](#)), para 5.7–5.8; The Adolescent and Children’s Trust ([FOS0072](#)), para 5.1

189 Q3, HC (2016–17) 681

190 Q9 [Brian Roberts], HC (2016–17) 681

Minority communities

106. There are particular difficulties in recruiting from minority communities. Penny Appeal pointed out that the most effective way of recruiting new carers—referral from existing carers—is hindered by the low numbers of people from those backgrounds currently fostering or employed as staff by fostering providers, and that as targeted recruitment tends to require disproportionately increased resources, many services do not consider it a financially viable option.¹⁹¹

A national recruitment campaign

107. As a result, many people have suggested to us that there ought to be a national recruitment programme for foster carers, as the Government runs for other professions, such as teaching.¹⁹² We were advised that this should focus online and on social media, rather than traditional ‘side of a bus’ advertising, and should involve current foster carers, as they are widely recognised to be the best method of attracting new people to foster.¹⁹³ We heard evidence that targeted or innovative recruitment campaigns have effected real improvements: one witness said that a programme involving young people in recruitment of carers stimulated many times more enquiries to local authorities than the previous year, while Andy Elvin, Chief Executive of TACT, told us that his organisation, who are running Peterborough’s fostering and adoption services, are set to increase recruitment in that area by 1,500% this year.¹⁹⁴

108. However, we were advised that any recruitment drive must place an emphasis on speedy and supportive responses to enquiries,¹⁹⁵ and must be dictated by need. Anne Sayer told us that “at the moment there is a big emphasis on frontloading fostering through recruitment, a very wide, broad-brush, recruitment drive”.¹⁹⁶ This is not what is needed. While there is a need for more foster carers to increase general capacity, it is more important that increases in carer numbers reflect the characteristics and needs of the looked-after population. Alison Michalska echoed many in saying that the emphasis in recruitment should be on “offering a more diverse foster carer supply”¹⁹⁷—carers who are able and willing to care for adolescents, children with disabilities or additional needs, large sibling groups, and those from different ethnic, religious and cultural backgrounds, including unaccompanied asylum seeking children.

109. The vast majority of foster carers in England—around 87%—are white. However, more than a fifth of young people in foster care are from minority backgrounds. In 2016, nine local authorities¹⁹⁸ reported having no long-term foster carers from minority ethnic groups.¹⁹⁹ It is not essential to place young people with carers from the same backgrounds,

191 Penny Appeal ([FOS0042](#)), para 6.9

192 Q151 [Dave Hill], HC (2016–17) 681; Qq13, 41 [Alison Michalska]; The Adolescent and Children’s Trust ([FOS0072](#)), para 5.2; Q103 [Andy Elvin], HC (2016–17) 681; Q63 [Andy Elvin, Steve Miley]

193 Q135 [Katy Willison]; Q103 [Andy Elvin], HC (2016–17) 681; Q10 [Gemma Ronte], HC (2016–17) 681

194 Q137 [Luke Rodgers]; Q61 [Andy Elvin]

195 Q64 [Andy Elvin]; Q103 [Iain Anderson, Andrew Ireland], HC (2016–17) 681; Q206 [Steve Walker], HC (2016–17) 681

196 Q3, HC (2016–17) 681

197 Q13; Q56 [Jackie Edwards]; Q57 [Professor Harriet Ward], HC (2016–17) 681; Q103 [Harvey Gallagher, Andrew Ireland], HC (2016–17) 681

198 Knowsley, North East Lincolnshire, North Somerset, Redcar and Cleveland, Rutland, Sefton, Shropshire, St Helens, and West Berkshire.

199 Ofsted, [Fostering in England, 2015–16](#), 28 February 2017, p 8

or match placements along ethnic, religious or cultural lines. However, it may be suitable to do so, or desired by the young person, in some situations. It is vital that all carers are given support in working with young people from different backgrounds.

110. *The Government should establish a national recruitment and awareness campaign for foster carers. This should:*

- *focus on areas of the country where more carers are particularly needed;*
- *seek to increase the number of carers from ethnic, religious and cultural backgrounds which are currently lacking in representation; and*
- *target those with specific skills—such as in working with young people with disabilities or special educational needs—in which there is currently a need for greater support.*

Relations between foster care providers

111. There is a mixed economy of care options within the fostering system. The majority (two-thirds) of young people are placed with local authority foster carers, with the remainder cared for by independent fostering agencies (IFAs).²⁰⁰ IFAs receive referrals from local authorities when they have been unable to place a child with their own carers, and the agency then attempts to find a suitable placement from their own carers. Some local authorities pay by the placement, while others have standing contracts with independent agencies. Some IFAs are commercial and profit-making, while others are voluntary or not-for-profit. There are differences between IFAs and local authorities: IFAs tend to have higher proportions of carers and children from minority backgrounds, and children with disabilities, and are also more likely to have larger households. The majority of short term, short break, and long term/permanent placements were offered by local authorities, while IFAs offered most emergency, parent and child, and multi-dimensional treatment placements.²⁰¹ The number and percentage of children placed with IFAs has been increasing over recent years, but showed a slight decrease in 2015–16, while applications by prospective new foster carers are split roughly 50/50 between local authority providers and independent agencies.²⁰²

112. There are different views within the sector regarding the role of private companies, particularly commercial ones, being involved in the care of vulnerable children.²⁰³ However, Kevin Williams from The Fostering Network said IFAs had “led the way” in professionalising the role of foster carer,²⁰⁴ and both the LGA and the ADCS believe that they have vital roles to play in the foster care system.²⁰⁵ IFAs also tend to have better inspection results: Ofsted rated almost 90% of IFAs as “good” or “outstanding” for

200 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, p 15

201 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, p 5

202 Ofsted, *Fostering in England, 2015–16*, 28 February 2017, p 10

203 Reverend Andrew Gale ([FOS0006](#)), para 1; Q38 [Michael Fesemeyer], HC (2016–17) 681; Q87 [Andy Elvin], HC (2016–17) 681; Wandsworth Foster Carers’ Association ([FOS0034](#)), p 14; Q44 [Professor Ray Jones]

204 Q69, HC (2016–17) 681

205 Local Government Association ([FOS0050](#)), para 2.4; Association of Directors of Children’s Services ([FOS0099](#)), para 12

‘Children looked after and achieving permanence’, compared to 35% of local authorities.²⁰⁶ However, these figures need to be treated with caution as local authorities are graded for their entire range of children’s services while IFA inspections only focus on fostering.

113. Many independent fostering agencies were set up to cater for specific groups of young people, for example those from certain ethnic backgrounds or with additional or challenging needs, or were started by carers or social workers breaking off from the local authority system aiming to offer a more personalised type of care. However, with the growth and increased demands of the foster care system, IFAs now provide foster placements for a much wider range of children.

114. We were told that relationships between IFAs and local authority providers are “strained” or “mixed”,²⁰⁷ and that there is often a “them and us culture”.²⁰⁸ The NAFP said that in their experience “the tone of some local authorities is resolutely anti-agency”, with some being “directive, oppositional and suspicious”,²⁰⁹ while Barnardo’s told us that there has been a noticeable “decline in the level of collaboration between local authorities and IFAs”.²¹⁰

Allegations of profiteering and ‘golden handshakes’

115. Much of the opposition to IFAs stems from financial concerns. For example, local authorities told us that they often struggle to compete financially with IFAs in the marketing and recruitment of foster carers.²¹¹ In his review of the residential care system, Sir Martin Narey expressed concern at the level of profit made by some commercial fostering agencies providing foster placements.²¹² This practice was called “completely unacceptable” and “immoral” by Councillor Richard Watts and “obscene” by Andy Elvin.²¹³ Sir Martin suggested that while he was “unconvinced” about the alleged excessive profits in privately-run children’s homes, “there may be rather more to concern us when it comes to private foster care”.²¹⁴

116. Independent agencies have also been criticised due to reports of the use of ‘golden hellos’ or ‘golden handshakes’—the practice of recruiting local authority carers into the private sector by offering financial incentives, then charging local authorities higher prices to use their services. Dave Hill called the practice “immoral and wrong”.²¹⁵ Many have called for such incentives to be banned, with some agencies deciding to stop using such payments in the wake of such criticism.²¹⁶ However, it is hard to ascertain how common or widespread the practice of offering golden hellos is—the Children’s Services Development Group claimed that the extent of the practice has been “heavily exaggerated

206 Ofsted (FOS0054), p 2

207 Q83 [Iain Anderson], HC (2016–17) 681; Penny Webb (FOS0064), para 10

208 Q84 [Andrew Ireland], HC (2016–17) 681; Anonymous (FOS0036), para 8

209 Nationwide Association of Fostering Providers (FOS0101), para 21

210 Barnardo’s (FOS0104), para 8

211 Essex County Council (FOS0052), para 38

212 HM Government, *Residential Care in England*, July 2016, p 23

213 Children & Young People Now, ‘Call for ban on ‘golden hellos’ in fostering’, 7 September 2016; The Guardian, ‘Why do we let fostering agencies profit from caring for vulnerable children?’, 11 January 2016

214 HM Government, *Residential Care in England*, July 2016, p 23

215 BBC News, ‘Foster carers ‘poached with golden hellos’’, 5 August 2016

216 Children & Young People Now, ‘Major foster care firm scraps ‘golden hello’ incentives’, 9 September 2016; Q103 [Iain Anderson], HC (2016–17) 681

and distorted”²¹⁷—and representatives of the independent sector have countered that local authorities also use various types of inducement to attract carers, including increased allowances, ‘no council tax’ incentives and the promise of additional placements.²¹⁸

Commissioning

117. The other main issue of contention between local authorities and IFAs regards the process for commissioning placements. When they are unable to place a young person with one of their own foster carers, a local authority will seek a placement through an IFA, usually on the basis of a pre-arranged framework of cost and provision agreed between the authority and the agency. However, it has been reported that the cost of a placement with an IFA can be much higher than with a local authority carer: Sir Martin Narey’s report suggested that private sector operators can charge up to 92% more than the local authority’s direct recruitment costs, with voluntary providers costing 79% more,²¹⁹ while the LGA claimed that IFA placements can cost twice as much as an in-house placement.²²⁰ Andrew Ireland, on behalf of Kent County Council, told us that at the height of the pressures in dealing with unaccompanied asylum seeking children in 2015, they found that independent agencies raised their prices.²²¹

118. Independent providers have denied that their services are more expensive, claiming that direct price comparisons are often flawed and not carried out on a like-for-like basis. They also pointed out that IFAs are required to provide monitoring and quality assurance information to local authorities at a level and regularity not applied to in-house services.²²²

119. IFAs have also suggested that this belief has led to local authorities prioritising their own in-house provision, even when a placement with a local authority carer may not be the best match for the child in question. We heard that local authorities usually prefer to offer placements to their own carers first and fill up their in-house provision before referring out to independent agencies, for reasons including maintaining “clear and open lines of communication”,²²³ keeping with carers they know well,²²⁴ and making the most of funds already committed to in-house provision.²²⁵ However, many agencies believe that this predisposition to in-house provision—a “discernible and worrying trend”, according to the NAFP²²⁶—is not conducive to finding the best and most appropriate placement. The National Fostering Agency said that “the arbitrary movement of placements by a local authority to an ‘in house’ carer on the basis of cost is not acceptable”,²²⁷ while the NAFP

217 Children’s Services Development Group ([FOS0051](#)), para 4

218 National Fostering Agency ([FOS0076](#)), para 5; Nationwide Association of Fostering Providers ([FOS0101](#)), para 33; Children’s Services Development Group ([FOS0051](#)), para 6

219 HM Government, [Residential Care in England](#), July 2016, p 24

220 Local Government Association ([FOS0050](#)), para 2.4

221 Q88, HC (2016–17) 681

222 Nationwide Association of Fostering Providers ([FOS0101](#)), para 6; Children’s Services Development Group ([FOS0051](#)), para 20; National Fostering Agency ([FOS0076](#)), para 21; Q86 [Harvey Gallagher], HC (2016–17) 681; Q38 [Gemma Ronte], HC (2016–17) 681; Q72 [Kevin Williams], HC (2016–17) 681

223 Oldham Council ([FOS0074](#)), para 10

224 Ofsted ([FOS0054](#)), para 13; Q49 [Steve Miley]

225 Action for Children ([FOS0079](#)), para 6.2

226 Nationwide Association of Fostering Providers ([FOS0101](#)), para 4

227 National Fostering Agency ([FOS0076](#)), para 13

criticised an “economic model that needs to fill up the chosen service first (in this case an in-house fostering service that is the automatic preferred provider without any prior process to determine if that is best), rather than choose what is best for each child”.²²⁸

120. There is concern over the “growing trend” of price-led commissioning by local authorities.²²⁹ We were told of several examples of procurement exercises “where the emphasis is on price over quality or outcomes”, with contracts regularly weighting up to 70% on price and 30% on quality.²³⁰ Additionally, many contract frameworks have capped pricing, which can lead to agencies not offering their services as part of these frameworks as they do not feel they can offer an adequate level of care and service for the limited price.²³¹ As a result, the Children’s Services Development Group questioned whether local authorities’ commissioning policies were in the best interests of the children in their care:

This focus on cost fails to sufficiently regard the quality of care or outcomes delivered by IFAs. By predominantly rewarding only the cheapest providers, the overall quality of care children receive will be compromised.²³²

The NAFFP summed up: “Price not quality is the key driver. And the understanding of price is very poor”.²³³

121. Several witnesses suggested that one of the causes for this prioritisation of cost over need may be the fact that local authorities are both purchasers and providers of fostering services, thereby questioning the objectivity of current commissioning arrangements:

Almost all LAs host the foster care commissioning/placements team within the same directorate as the in-house foster care service. As such the objectivity and equitability of any commissioning approach is undermined. This bias towards in-house foster care creates an un-level playing field.²³⁴

122. Kevin Williams pointed out that the current commissioning system is dated, as despite over a third of placements being in the independent sector processes are still predicated on a belief that IFAs are supporting local authorities, rather than working together and jointly.²³⁵ Because of this, and because the tensions and pressures inherent and evident in the current system are souring relations between foster care providers and encumbering all parties’ abilities to find the right placement for a child in need, witnesses called for a new national commissioning or procurement framework, to replace the existing model.²³⁶

Commissioning has not moved on far enough from procurement that commoditises units in order to negotiate price. That model does not fit well with children’s services.²³⁷

228 Nationwide Association of Fostering Providers ([FOS0101](#)), para 4; Q80

229 National Fostering Agency ([FOS0076](#)), para 10

230 Children’s Services Development Group ([FOS0051](#)), para 7; Q95 [Iain Anderson], HC (2016–17) 681

231 Q97 [Iain Anderson], HC (2016–17) 681

232 Children’s Services Development Group ([FOS0051](#)), para 9

233 Nationwide Association of Fostering Providers ([FOS0101](#)), para 30

234 Children’s Services Development Group ([FOS0051](#)), para 10; Action for Children ([FOS0079](#)), para 6.2; Q38 [Anne Sayer], HC (2016–17) 681

235 Q69, HC (2016–17) 681

236 Q84 [Andy Elvin], HC (2016–17) 681; Children’s Services Development Group ([FOS0051](#)), para 22; Q69 [Kevin Williams], HC (2016–17) 681; Q195 [Melissa Green], HC (2016–17) 681

237 Nationwide Association of Fostering Providers ([FOS0101](#)), para 30

123. Independent agencies are a valuable part of the care system, and generally provide high-quality levels of service and care to the young people and carers they work with. Yet conversations and considerations around the inter-relationships of local authority and independent foster care providers are largely dominated by financial concerns. As Harvey Gallagher told us:

If the conversations and the collaboration are only about money, that makes it very difficult to develop services that are genuinely collaborative and will genuinely meet the needs of children.²³⁸

Kevin Williams concurred, arguing that debating whether local authorities are better or cheaper than IFAs is a narrowing of wider and more important issues, and that the focus should be on how the system is funded, and how that money is used efficiently and effectively.²³⁹

124. *The quality of foster care provision must always be paramount. We are concerned by the extent to which commissioning and placement decisions are made on the basis of cost. The Government must provide local authorities with the resources they need to ensure financial concerns do not take precedence over the needs of the child. The Government should also require standardised cost analyses of local authority and IFA placements.*

New ways of working

Funding and resource pressures

125. One of the primary reasons for the pre-eminence of cost in decision-making and commissioning of services is the impact of the increasing funding and resource pressures local authorities are currently facing. Overall government expenditure on foster care has increased each year along with the number of children in foster care since 2010, from £1.27 billion in 2010/11 to £1.55 billion in 2016/17. However, as a result of the way that local government finance settlements work, it is not possible to clearly track change in local government funding for children's social care. Real terms expenditure per child has seen yearly decreases since 2012/13, from £20,820 per child to £19,740.²⁴⁰ With regard to local authorities more generally, the Institute for Fiscal Studies reported that councils have seen an average real-terms funding cut of almost 25% since 2009, while analysis by the National Audit Office found that the Government reduced its funding to local authorities by an estimated 28% in real terms between 2010–11 and 2014–15.²⁴¹ Further planned cuts brought the total reduction to 37% by 2015–16. Recent analysis by the Local Government Association found that in 2015–16 councils exceeded their budgets by £605 million providing services for children in care, with a funding gap of £2 billion expected

238 Q83, HC (2016–17) 681

239 Q72, HC (2016–17) 681

240 Department for Education, [‘Statistics: local authority and school finance’](#); Department for Education, [Children looked after in England \(including adoption\), year ending 31 March 2017](#), 28 September 2017

241 Institute for Fiscal Studies, [A time of revolution? British local government finance in the 2010s](#), October 2016; National Audit Office, [The impact of funding reductions on local authorities](#), November 2014

by 2020.²⁴² Andrew Ireland from Kent County Council suggested that the fact that so many authorities are overspending challenges the notion that placement decisions are made largely by cost.²⁴³

126. The strains on local authorities were widely recognised by witnesses. Andrew Ireland told us that “the squeeze is absolutely real”,²⁴⁴ while Iain Anderson, Chief Executive of the National Fostering Agency, said that the pressures they are under are “tremendous”. He added that, as a representative of an independent fostering agency, “I don’t envy them”.²⁴⁵ We were warned that funding cuts will mean fewer services for foster carers and children in care. Andy Elvin stated that “you cannot do more with less in this situation. You will end up doing less. It’s inevitable”.²⁴⁶

127. When questioned on the financial challenges experienced by local authorities, the Minister said that funding for children’s services is up to individual authorities to allocate from the Government’s block funding of local authorities:

They have a £200 billion package through to the end of this decade, so they know what their funding will be. They make the decisions. We have local democracy in this country.²⁴⁷

He added that money does not always equal results:

There is not a straightforward correlation between what a local authority spends on children’s services and the services they get [...] this idea that the more you put in, the more you get out, does not necessarily follow. Some of the best local authorities are doing it on quite lean funding, but doing it very well indeed.²⁴⁸

This was supported by Ofsted, which has found that some inadequate authorities are among the highest spending, and concluded that “regardless of context, providing outstanding services is possible and that good is a standard that any local authority can achieve and maintain”.²⁴⁹

Innovation

128. As a result of the resource pressures, local authorities are looking to innovate and find new ways of working that improve efficiency and effectiveness. Many projects being trialled or implemented by councils are backed by the Department for Education’s Innovation Programme, which was launched in October 2013 and supports programmes which test new and effective ways of delivering support for children. This has been backed by over £200 million of Government funding, and has supported almost 100 projects.²⁵⁰ The Government attempted to encourage authorities to innovate further by seeking to

242 Local Government Association, ‘[Children’s social care at breaking point, council leaders warn](#)’, 9 August 2017; Q153 [Councillor Richard Watts], HC (2016–17) 681

243 Q95, HC (2016–17) 681

244 Q106, HC (2016–17) 681

245 Q106, HC (2016–17) 681

246 Q105, HC (2016–17) 681

247 Q120

248 Q121

249 Ofsted, *Social care: The report of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills 2016*, 28 June 2016, p 14

250 Spring Consortium, ‘[The Children’s Social Care Innovation Programme](#)’, accessed 30 November 2017

introduce a clause into the Children and Social Work Bill which would exempt them from some children's social care legislation which currently prevents trialling of new ideas. However, this was met with staunch opposition,²⁵¹ and the Government eventually dropped the controversial exemption clauses.

129. There is enthusiasm for innovation within the sector. Simon Bower, from Bournemouth Borough Council, believes that “There is definitely the appetite to do that”,²⁵² while Steve Walker from Leeds City Council said that the Innovation Programme has “stimulated a culture of openness among local authorities” who are now “very keen to share”.²⁵³ Melissa Green, on behalf of The Fostering Network, said that “We would encourage anything that allows services to think differently about what they do and home in on what their challenges are”.²⁵⁴ Witnesses told us that they are keen to establish and make use of a body of evidence and learning that can inform their work and promote a culture of evidence-based practice.²⁵⁵

130. The then Minister for Children and Families, Edward Timpson MP, told our predecessor Committee that he “subscribes to a ‘what works’ view of the world”,²⁵⁶ while Graham Archer, Director of Improvement and Learning for Children's Social Care at the Department for Education, said that there is “a systematic desire to see practice informed by learning, and to see innovation as a standard part of what we do”.²⁵⁷ However, he added that while “there are some powerful benefits from bringing either specific services or the whole of the children's social care services together”, it was not easy to do:

It takes a certain amount of bravery among both politicians and officers in local government to share ownership, decision-making and accountability [...] I think it is doable and there are some good examples. I am not going to pretend it is easy, but it is something we should encourage, particularly where there are economies of scale in a difficult fiscal environment that there will be more of in the future.²⁵⁸

131. ***Given the well-evidenced improvements made in areas with access to the Innovation Programme, we recommend that the Government extend the time period and at least double the funding given to the Programme, so that more children and young people are able to benefit from early intervention and improved services.***

Different structural models

132. As well as innovating within their own practice and processes, many local authorities have been exploring different ways of structuring their children's services departments and delivering their services.

251 Q78 [Kevin Williams, Professor Harriet Ward], HC (2016–17) 681; The Fostering Network, ‘[Children and Social Work Bill](#)’; Community Care, ‘[Scrapping red tape or safeguards? The fight for the future of children's services](#)’, 13 October 2016

252 Q188, HC (2016–17) 681

253 Q186, HC (2016–17) 681

254 Q199, HC (2016–17) 681

255 Q185 [Steve Walker], HC (2016–17) 681; Q186 [Melissa Green], HC (2016–17) 681

256 [Oral evidence taken before the Education Committee on 4 May 2016](#), HC (2015–16) 690, Q226

257 Q183, HC (2016–17) 681

258 Q194, HC (2016–17) 681

Combined local authorities

133. In 2011 three London councils—Kensington and Chelsea, Westminster, and Hammersmith and Fulham—brought their children’s services departments together to create one children’s service. It was estimated that this ‘tri-borough’ arrangement would save the councils £13 million a year, and in 2016 Westminster and Kensington and Chelsea became the first local authorities to have their children’s services rated as Outstanding by Ofsted. The tri-borough was regularly praised by the Government: the former Minister for Children and Families, Edward Timpson MP, told the previous Committee that the councils were “examples of how, if we deliver services differently [...] we can improve services”.²⁵⁹ However, in March 2017 the councils announced that they were terminating the tri-borough arrangement, citing political differences and disagreements between the partners, though the shared fostering and adoption service will be maintained.²⁶⁰

134. Steve Miley, the Director of Children’s Services responsible for the tri-borough fostering and adoption service, told us that this set-up brings many benefits to its constituent councils. By pooling carers it provides greater opportunity for successful matching, and avoids duplication by having joint marketing and recruitment campaigns. This arrangement also enables the councils to identify best practice, by comparing and contrasting previous processes and ways of working. Mr Miley said that the tri-borough has already reduced its use of independent agencies by 25%, and has increased recruitment of carers.²⁶¹ While there are challenges to such collaboration between authorities—the optimum size for such merging is yet to be established, and it was pointed out that it is difficult to join services without merging politically, as was the case with the tri-borough²⁶²—Mr Miley told us that other local authorities are similarly thinking about bringing their services together.²⁶³

135. Many local authorities are already co-operating and collaborating, without unifying the entirety of their service. Our predecessor Committee took evidence from representatives of the South Central Independent Fostering Agency Framework, a partnership between 14 local authorities in the South Central regions of England who are working together to improve the quality and sufficiency of placements within the region, and Leeds City Council, who are part of the White Rose Framework, collaborating with services across Yorkshire and the Humber. Jonny Woodthorpe, Commissioning Co-ordinator for Bournemouth Borough Council, suggested that there is potential for even greater efficiencies if regional consortia also work together.²⁶⁴

Trusts

136. In December 2015 the then Prime Minister David Cameron announced that poor-performing children’s services which showed little sign of improvement within six months would be taken over by a trust led by a new service leader and formed of high-performing local authorities, child protection experts, and charities.²⁶⁵ Since then, several councils have made the move to the trust model, using slightly different arrangements. Some, like

259 [Oral evidence taken before the Education Committee on 4 May 2016](#), HC (2015–16) 690, Q226

260 Community Care, [‘Councils to scrap ‘Tri-borough’ deal for social care services’](#), 29 March 2017; Q50

261 Qq50–3

262 Qq51–2 [Andy Elvin]; Q54 [Professor Ray Jones]

263 Q50

264 Q201, HC (2016–17) 681

265 HM Government, [‘PM: We will not stand by—failing children’s services will be taken over’](#), 14 December 2015

Doncaster and Slough, had independent trusts imposed on them by the Government following successive inadequate Ofsted judgements. Others made the change voluntarily: Sunderland's children's services are run by an arm's length company owned by and accountable to the council, but with an independent board of directors, and Birmingham and Reading are currently in the process of following this model. An alternative method has been to establish a community interest company. Since April 2014, children's services for Richmond and Kingston councils (and for Windsor and Maidenhead since August 2017) have been run by Achieving for Children, which was created and is owned by the councils, but which delivers services independently.

137. Mark Douglas, Chief Operating Officer for the Doncaster Children's Services Trust, told us that the benefit of the trust model is that it separates the service from the struggling council provision:

Only a clean break between the local authority in terms of management of services could deliver the improvement and change that was required [...] I do not believe that we could have created the change and the pace of change and improvement had we remained with the local authority.²⁶⁶

He added that separation from the council had “detoxified” the service in Doncaster.

138. Intervening and taking over struggling children's services departments by using the trust model appears to be the Government's preferred method of driving improvement. However, many have taken issue with this practice. Much opposition has revolved around the destabilisation involved in restructuring, and the disruption and cost involved in conversion, estimated at £3–3.5 million a year during the process.²⁶⁷ Others have highlighted that those services which have undergone the change have not seen major or quick improvements: the Children's Services Trusts in both Doncaster and Slough were rated inadequate after making the transition.²⁶⁸ However, these inspections were conducted relatively soon after the change, and results reflect the level of improvement required. Birmingham City Council's services have been found to have made “notable improvement” and are making steady progress,²⁶⁹ while in August 2015 Kingston became one of the first areas to jump two Ofsted grades in one inspection, improving to good in all categories from inadequate in 2012.²⁷⁰ Speaking from his experience, Mark Douglas told us that while “the trust arrangements in Doncaster would not be right for everybody and I would not suggest it is a ‘one solution fits all’-type approach”, the costs and difficulties in establishing a trust need to be measured against the cost of systemic failure.²⁷¹

139. Professor Ray Jones stated that he thought that the trust model is the “wrong intervention”:

What we do not want to do is create additional complexity and cost and time delay. What you want to do is inject a resource into a local authority with some power, to be able to give direction, to make a local authority do

266 Q62

267 Q60 [Professor Ray Jones]; Community Care, [‘The new service models shaking up children's social work’](#), 19 January 2017

268 Community Care, [‘Are independent children's trusts really the answer to struggling services?’](#), 8 June 2016

269 Birmingham Mail, [‘Ofsted praises improvements at Birmingham's children's services’](#), 13 June 2017

270 Achieving for Children, [‘Children's services improvement’](#), accessed 29 November 2017

271 Q62

what it needs to do, to understand what it needs to do, but at the end of the day still have a local authority that can take overall responsibility still for its children's service.²⁷²

Outsourcing

140. Since April 2017, Peterborough City Council's permanency service, which includes its fostering and adoption services, has been run by The Adolescent and Children's Trust (TACT), a national fostering and adoption charity. The permanency service is based at city council offices, and is overseen by a joint board that includes senior staff from both the council and TACT. Responsibility has not devolved from the authority, but TACT have provided them with "new leadership, new training, new direction".²⁷³ Andy Elvin, Chief Executive of TACT, told us that the main benefit of this arrangement is that it allows a dedicated focus on the permanence services, as they do not have responsibility for child protection. He said that fostering services are often "Cinderella services", not given the attention they need, as the primary focus for councils is child protection: "Child protection is all-encompassing [...] care may not be optimal, but it is rarely dangerous. Something that happens in a foster home is unlikely to cost you your job or cause a council member to resign. In child protection, all the risk is there."²⁷⁴

141. It is believed that organising services in this way will reduce the council's reliance on more expensive independent fostering placements, enable improved recruitment and training of local foster carers—Mr Elvin claimed that TACT are going to increase recruitment in Peterborough by 1,500% "because we are good at recruiting in a way that local authorities are not"²⁷⁵—and allow them to offer improved services and support for their children and carers, with a department dedicated to foster pay and a 24/7 support service staffed by qualified social workers.²⁷⁶ Mr Elvin said that several other local authorities had held conversations with TACT, and that, subject to results in Peterborough, he would expect more to make the move to a similar model:

If you can contract out to someone who is dedicated only to that part and can more or less guarantee decent Ofsted results, that is going to be very attractive for local authorities.²⁷⁷

142. However, there is opposition to the outsourcing of children's services, whether involving organisations such as TACT or through the trust model.²⁷⁸ There are fears that these changes may lead to the growth or acceleration of a marketplace or of privatisation in the sector. In evidence to us the Minister said that the Government only intervenes when it has to:

There is no reason why, once those services have been fixed, they should not return back to the local authority. There is certainly no agenda from this Government to privatise the situation.²⁷⁹

272 Q60

273 Q61

274 Q84, HC (2016–17) 681; Q46

275 Q61

276 Q47 [Andy Elvin]

277 Q84, HC (2016–17) 681; Q46

278 The Guardian, '[Outsourcing children's services is not a quick fix](#)', 7 October 2016; The Guardian, '[New report is the next step to privatising children's social services](#)', 12 December 2016

279 Q140

'Churn and change' versus stability

143. There has also been criticism of the assumption that “transformation [of children’s services] itself brings longer-term benefits for the service user” and an “expectation of improved outcomes in the medium to long term”.²⁸⁰ Professor Ray Jones has written that this is a “staggering assertion”, questioning why “churn, change and fragmentation” is preferred over “continuity, coherence and co-operation”.²⁸¹ Professor Jones believes that taking services out of councils “is not a quick fix or an easy solution”, as it introduces instability and delay instead of enabling councils to build a strong and stable workforce and an organisational culture which can drive improvement.²⁸²

144. The Government’s focus on removing control from local authorities in order to improve standards is borne out by the evidence the Minister gave to us. Mr Goodwill claimed that “it is all about leadership I’m afraid”:

Where you see children’s services failing, it is down to leadership. If you have got a good director of children’s services and a good cabinet member leading that, they can improve the service they give.²⁸³

145. While the introduction of new, high-quality and experienced leadership can energise a struggling system and introduce new ways of thinking or working, changing leadership alone when issues arise does not facilitate the development of long-term strategies, or allow authorities to learn and develop from their own experience. This churn and change causes instability for all involved including, perhaps most damagingly, the young people in receipt of these services:

The recent history is that about a third of children’s services directors changing every year. We just need to calm it all down a bit. We need to reintroduce some stability and some consistency and some calmness [...] Somewhere along the line we have to build stability in our organisations at the top [...] so that we can give stability to children.²⁸⁴

As witnesses told us, “you don’t necessarily need to change a model in order to effect change”.²⁸⁵

146. Local authorities’ children’s services need to improve. While funding and resourcing will always be an issue, particularly with an increasing number of children in care, we welcome attempts to innovate and find new, efficient and effective ways of working. However, it is vital that change is not imposed for change’s sake, or before internal improvements can take effect. We recommend that the Government place a greater emphasis on providing support and guidance when considering intervention.

280 Department for Education, *The potential for developing the capacity and diversity of children’s social care services in England*, December 2016, p 9

281 The Guardian, [‘New report is the next step to privatising children’s social services’](#), 12 December 2016

282 The Guardian, [‘Outsourcing children’s services is not a quick fix’](#), 7 October 2016

283 Qq122–7

284 Q54 [Professor Ray Jones]

285 Q199 [Melissa Green], HC (2016–17) 681

5 Conclusion

147. Foster care provides an invaluable service to society. It gives homes, love and care to some of the most vulnerable young people, allowing them to recover from often-traumatic experiences and grow up in a family environment. It is an immensely challenging role, which is performed with dedication, love, and often great sacrifice by foster carers, both to themselves and their families. We place on record our appreciation to the thousands of foster carers who open their hearts and homes to caring for our young people, and to all involved in the wider foster care system, who work on a daily basis to improve the lives of children across the country.

148. Our inquiry has found that the system is under pressure. Yet we believe that there are several actions that the Government can, and should, take, which would result in real improvements to the lives of young people in foster care, and those that work with them, and we are glad that the Government has begun this journey through its review. By ensuring consistent high-quality practice and application of existing guidelines, the Government can help prevent unnecessary placement breakdowns, engage young people more effectively in their care, and ensure that they can access meaningful advocacy services and contact with siblings. By establishing a national college for foster carers, the Government can address current deficiencies in their working conditions, and give them the support they need. And by taking steps to increase the capacity of the foster care system, and supporting innovation and new ways of working, the Government can enable foster care providers to continue in providing high-quality care and support.

149. The sector needs to be adequately resourced and supported, especially as the number of children in care is rising. But the Government needs to do more than just increase spending. It needs to value fostering, and recognise the immense benefits it brings; value foster carers, and afford them the respect and recognition they deserve; and value the young people living in foster care, as it is they who must be the primary focus of all who work in the children's care system.

Formal minutes

Wednesday 20 December 2017

Members present:

Robert Halfon, in the Chair

Lucy Allan Lucy Powell

Trudy Harrison

Draft Report (*Fostering*) proposed by the Chair, brought up and read.

Ordered, that the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 149 read and agreed to.

Summary agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till 9.30 am on Tuesday 9 January

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 17 October 2017

Christina Brandi, Fostering Service Manager, Action for Children, **Tay Jiva**, Adoption and Fostering Manager, PennyAppeal, **Alison Michalska**, President, Association of Directors of Children's Services, and **Dr John Simmonds OBE**, Director of Policy, Research and Development, CoramBAAF [Q1–41](#)

Mark Douglas, Chief Operating Officer, Doncaster Children's Services Trust, **Andy Elvin**, Chief Executive, The Adolescent and Children's Trust, **Professor Ray Jones**, Emeritus Professor of Social Work, Kingston University and St George's, University of London, and **Steve Miley**, Director of Children's Services, Hammersmith and Fulham Council [Q42–66](#)

Tuesday 7 November 2017

Rachel, Connor, and **Luke Rodgers**, young people with experience of foster care [Q67–101](#)

Robert Goodwill MP, Minister of State for Children and Families, Department for Education, **Katy Willison**, Director of Children's Social Care, Practice and Workforce, Department for Education, and **Rachel, Connor**, and **Luke Rodgers**, young people with experience of foster care [Q102–155](#)

The following witnesses gave evidence on Fostering to the Education Committee in the previous Parliament. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 1 February 2017

Michael Fesemeyer, foster carer, **Brian Roberts**, foster carer and Chair, Bedfordshire Foster Carer Association, **Gemma Ronte**, foster carer and Vice-Chair, Wandsworth Foster Carers' Association, and **Anne Sayer**, foster carer [Q1–51](#)

Chloë Cockett, Policy and Research Manager, Become, **Jackie Edwards**, Professional Advisor, FosterTalk, **Professor Harriet Ward**, Professor of Child and Family Research, Loughborough University, and **Kevin Williams**, Chief Executive, The Fostering Network [Q52–81](#)

Wednesday 1 March 2017

Iain Anderson, Representative, Children's Services Development Group and Group Chief Executive, National Fostering Agency, **Andy Elvin**, Chief Executive, The Adolescent and Children's Trust, **Harvey Gallagher**, Chief Executive, Nationwide Association of Fostering Providers, and **Andrew Ireland**, Corporate Director for Social Care, Health and Wellbeing, Kent County Council [Q82–122](#)

Dr Ruth Allen, Chief Executive Officer, British Association of Social Workers, **Jon Fayle**, Vice Chair, National Association of Independent Reviewing Officers, **Rachel Harrison**, Lead Officer for Schools and Foster Carers, GMB Union, **Dave Hill**, President, Association of Directors of Children's Services, and **Councillor Richard Watts**, Chair of the Children and Young People Board, Local Government Association

[Q123–153](#)

Wednesday 19 April 2017

Matthew Brazier, Specialist Adviser, Children Looked After, Ofsted, **Dr Heather Ottaway**, Lecturer in Social Work with Children and Families, University of Bristol, **Professor Judy Sebba**, Director, Rees Centre for Research in Fostering and Education, University of Oxford, and **Jim Wade**, Honorary Fellow, Department of Social Policy and Social Work, University of York

[Q154–181](#)

Graham Archer, Director of Improvement and Learning for Children's Social Care, Department for Education, **Simon Bower**, Contract Manager, South Central Independent Foster Care Framework, Bournemouth Borough Council, **Melissa Green**, Director of Operations, The Fostering Network, **Steve Walker**, Acting Director of Children's Services, Leeds City Council, and **Jonny Woodthorpe**, Commissioning Co-ordinator, Bournemouth Borough Council

[Q182–206](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

FSO numbers are generated by the evidence processing system and so may not be complete.

- 1 Professor Ray Jones ([FSO0003](#))

The following evidence was received by the previous Education Committee before the general election in 2017. It can be viewed on the [inquiry publications page](#) of the Committee's website.

FOS numbers are generated by the evidence processing system and so may not be complete.

- 1 ABC Fostering ([FOS0048](#))
- 2 Action for Children ([FOS0079](#))
- 3 Action for Children and The Adolescent and Children's Trust ([FOS0115](#))
- 4 Andrea and Andrew Rixon ([FOS0023](#))
- 5 Anonymous 1 ([FOS0005](#))
- 6 Anonymous 2 ([FOS0036](#))
- 7 Anonymous 3 ([FOS0045](#))
- 8 Anonymous 4 ([FOS0093](#))
- 9 Anonymous 5 ([FOS0100](#))
- 10 Association of Directors of Children's Services ([FOS0099](#))
- 11 Association of Directors of Children's Services and Local Government Association ([FOS0113](#))
- 12 Barnardo's Children's Advocacy and Participation Service, Wakefield ([FOS0098](#))
- 13 Barnardo's ([FOS0104](#))
- 14 Become ([FOS0089](#))
- 15 British Association of Social Workers ([FOS0043](#))
- 16 Centre for Research on Children and Families, University of East Anglia ([FOS0067](#))
- 17 Cheshire East Council ([FOS0088](#))
- 18 Children's Services Development Group ([FOS0051](#))
- 19 Clive & Bev Block ([FOS0031](#))
- 20 CoramBAAF ([FOS0081](#))
- 21 Core Assets Group ([FOS0063](#))
- 22 Coventry Foster Care Association ([FOS0097](#))
- 23 Credo Care Ltd ([FOS0066](#))
- 24 Department for Education ([FOS0086](#))
- 25 Devon Foster Carers ([FOS0109](#))
- 26 ECPAT UK ([FOS0078](#))
- 27 Essex County Council ([FOS0052](#))
- 28 Excel Fostering Limited ([FOS0058](#))

- 29 FosterTalk Ltd ([FOS0053](#))
- 30 Francis Boyle ([FOS0003](#))
- 31 GMB Union ([FOS0056](#))
- 32 GMB Union ([FOS0112](#))
- 33 Home for Good ([FOS0073](#))
- 34 Isaac and Charmaine Edusei ([FOS0108](#))
- 35 IWGB Foster Care Workers Union ([FOS0061](#))
- 36 Jack Smith ([FOS0106](#))
- 37 Julia Bennet ([FOS0017](#))
- 38 Karen & Mike Fesemeyer ([FOS0044](#))
- 39 Kent County Council ([FOS0107](#))
- 40 Local Government Association ([FOS0050](#))
- 41 London School of Islamics Trust ([FOS0004](#))
- 42 Loz Clough ([FOS0102](#))
- 43 Miss Anne Sayer ([FOS0068](#))
- 44 Miss Stephanie McNair ([FOS0082](#))
- 45 Mr Carl Dunger ([FOS0008](#))
- 46 Mr David Crawford ([FOS0025](#))
- 47 Mr Frederick Lillie ([FOS0033](#))
- 48 Mr James Brian Roberts ([FOS0059](#))
- 49 Mr John Sheard ([FOS0012](#))
- 50 Mr Jon Smith ([FOS0007](#))
- 51 Mr Jonathan Thomson ([FOS0032](#))
- 52 Mr Lee Farr ([FOS0024](#))
- 53 Mr Rafsputnik Babylon ([FOS0009](#))
- 54 Mr Ray Phillips ([FOS0014](#))
- 55 Mrs Allison Tatton ([FOS0038](#))
- 56 Mrs Alyson Pinske ([FOS0035](#))
- 57 Mrs Androulla Theodorou ([FOS0001](#))
- 58 Mrs Deborah Simpson ([FOS0049](#))
- 59 Mrs Fleur Dawson ([FOS0095](#))
- 60 Mrs Jacqueline Potter ([FOS0013](#))
- 61 Mrs Janette Williams ([FOS0018](#))
- 62 Mrs Jennifer Thistlethwaite ([FOS0011](#))
- 63 Mrs Jennifer Wilkins ([FOS0021](#))
- 64 Mrs Julia McArdle ([FOS0075](#))
- 65 Mrs Julie Turner ([FOS0016](#))
- 66 Mrs Kathleen Tracy Mese ([FOS0028](#))

- 67 Mrs Leigh Strange ([FOS0083](#))
- 68 Mrs Penny Webb ([FOS0064](#))
- 69 Mrs Sarah Naish ([FOS0039](#))
- 70 Mrs Tracy Adams ([FOS0002](#))
- 71 Ms Dianne Mitchell ([FOS0010](#))
- 72 Ms Karen Mardle ([FOS0047](#))
- 73 Ms Pamela Menzies ([FOS0029](#))
- 74 National Association of Independent Reviewing Officers ([FOS0091](#))
- 75 National Deaf Children's Society ([FOS0092](#))
- 76 National Fostering Agency ([FOS0076](#))
- 77 National Implementation Service ([FOS0077](#))
- 78 Nationwide Association of Fostering Providers ([FOS0101](#))
- 79 Norfolk County Council ([FOS0111](#))
- 80 Norfolk Foster Care Association ([FOS0055](#))
- 81 Ofsted ([FOS0054](#))
- 82 Oldham Council ([FOS0074](#))
- 83 Penny Appeal ([FOS0042](#))
- 84 Public Concern at Work ([FOS0090](#))
- 85 Rev'd Andrew Gale ([FOS0006](#))
- 86 Royal College of Speech and Language Therapists ([FOS0062](#))
- 87 Rt Hon Norman Lamb MP ([FOS0057](#))
- 88 Solihull Foster Carers Association ([FOS0065](#))
- 89 Surrey Fostering Executive Committee ([FOS0094](#))
- 90 Susan and Peter Adams ([FOS0070](#))
- 91 Susan Taylor ([FOS0020](#))
- 92 The Adolescent and Children's Trust ([FOS0072](#))
- 93 The Fostering Network ([FOS0085](#))
- 94 The Fostering Network ([FOS0110](#))
- 95 The Fostering Network ([FOS0114](#))
- 96 The Fostering Network's Staying Put working group ([FOS0084](#))
- 97 The SpringBoard Bursary Foundation ([FOS0022](#))
- 98 Together Trust ([FOS0080](#))
- 99 Toni Robinson ([FOS0071](#))
- 100 University of Bedfordshire International Centre: Researching Child Sexual Exploitation, Violence and Trafficking ([FOS0087](#))
- 101 Wandsworth Foster Carers' Association ([FOS0034](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

First Joint Special Report	Children and young people's mental health—the role of education: Government Response to the First Joint Report of the Education and Health Committees of Session 2016–17	HC 451
Second Joint Special Report	Apprenticeships: Government Response to the Second Joint Report of Session 2016–17	HC 450
Third Special Report	Multi-academy trusts: Government Response to the Committee's Seventh Report of Session 2016–17	HC 452
Fourth Special Report	Exiting the EU: challenges and opportunities for higher education: Government Response to the Committee's Ninth Report of Session 2016–17	HC 502
Fifth Special Report	Primary assessment: Government Response to the Committee's Eleventh Report of Session 2016–17	HC 501
Sixth Special Report	Evidence check: Grammar schools: Government Response to the Committee's Fourth Report of Session 2016–17	HC 623